



2004 House Journals

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Journal of the House

NINETY-SECOND GENERAL ASSEMBLY
of the
STATE OF MISSOURI
SECOND REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 7, 2004

The House was called to order at twelve o'clock noon by Speaker Hanaway.

Prayer by Reverend Donald W. Lammers, Pastor, St. Peter Church, Jefferson City, Missouri.

We stand before You, Holy Spirit of God, conscious of our limitations and aware that we gather in Your sight. We gather for the sake of all the people we have been chosen to represent.

Come to us, remain with us, and enlighten our hearts. Give us light and strength to know Your will, to make it our own, and to live it in our lives.

Guide us by Your wisdom, support us by Your power, for You are God, sharing the glory of Father and Son.

You desire justice for all: Enable us to uphold the rights of the people; do not allow us to be misled by ignorance, or corrupted by fear or favor.

Unite us to Yourself in the bond of grace and keep us faithful to all that is true.

As we gather in Your name, may we temper justice with equity and mercy, so that all our decisions may be pleasing to You, and earn the reward promised to good and faithful servants.

You live and reign, one God, for ever and ever. Amen.

The Missouri State Highway Patrol, Troop A Color Guard, presented the Colors.

The Pledge of Allegiance to the flag was recited.

COMMUNICATIONS FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE HOUSE
Mr. Stephen S. Davis
Jefferson City, MO

Sir:

I, Matt Blunt, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 162nd Legislative District in the State of Missouri, on the 4th day of November, 2003, as provided by law, the following named person was elected to the office of State Representative, 162nd Legislative District as shown by the election results certified to this office by the election authority of the 162nd Legislative District.

Name	Office
Terry Swinger 600 Carleton Caruthersville, MO 63830	State Representative 162 nd Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 20th day of November, 2003.

/s/ Matt Blunt
Secretary of State

To the Honorable House of Representatives of the 92nd General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri 2002, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 92nd General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on November 5, 2002 and at a Special Election held November 4, 2003.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 7th day of January, 2004.

/s/ Matt Blunt
SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES
92nd General Assembly, Second Regular Session

District	Name
1st	Brian Munzlinger
2nd	Robert J. Behnen
3rd	Jim Whorton
4th	Brad Lager
5th	Jim Guest
6th	Rachel Bringer
7th	John Quinn
8th	Chris Shoemaker
9th	Wes Shoemyer
10th	Terry L. Witte
11th	Wayne J. Henke
12th	Sherman Parker
13th	Scott T. Rupp
14th	Joe Smith
15th	Thomas S. Green
16th	Carl L. Bearden

17th	Vicki Schneider
18th	Tom Dempsey
19th	Cynthia L. Davis
20th	Danielle (Danie) Moore
21st	Steve Hobbs
22nd	Therese Sander
23rd	Robert (Jeff) Harris
24th	Chuck Graham
25th	Vicky Riback Wilson
26th	Jim Seigfreid
27th	Ed Wildberger
28th	Rob Schaaf
29th	Maurice Lawson
30th	Jason Brown
31st	Trent Skaggs
32nd	Susan Phillips
33rd	Philip Willoughby
34th	Annie Reinhart
35th	Doug Ervin
36th	Gary Kelly
37th	Sharon Sanders Brooks
38th	Dan Bishop
39th	Marsha Campbell
40th	John Patrick Burnett
41st	Melba J. Curls
42nd	Yvonne S. Wilson
43rd	Craig C. Bland
44th	Jenee Lowe
45th	Cathy Jolly
46th	Kate Meiners
47th	Robert Thane (Bob) Johnson
48th	Mike Sager
49th	Terry Young
50th	Vicki Walker
51st	Ray Salva
52nd	Paul LeVota
53rd	Curt Dougherty
54th	Gary Dusenberg
55th	Bryan Pratt
56th	Brian Yates
57th	Yaphett El-Amin
58th	Rodney R. Hubbard
59th	Russ Carnahan
60th	Amber (Holly) Boykins
61st	Connie (LaJoyce) Johnson
62nd	Dennis Wood
63rd	Robin Wright Jones
64th	Bob Hilgemann
65th	Fred Kratky
66th	Michael Vogt
67th	Michael Daus
68th	Larry Gene Taylor
69th	Gina Walsh
70th	Matt Muckler
71st	Esther Haywood

72nd	Betty L. Thompson
73rd	Margaret Donnelly
74th	Thomas (Tom) George
75th	Bruce David Darrough
76th	Michael Spreng
77th	Michael George Corcoran
78th	Clint Zweifel
79th	Albert J. (Al) Liese
80th	Theodore (Ted) Hoskins
81st	Juanita Head Walton
82nd	Sam Page
83rd	Barbara Fraser
84th	Allen Icet
85th	Jim Lembke
86th	Jane Cunningham
87th	Catherine L. Hanaway
88th	Neal C. St. Onge
89th	Jack Jackson
90th	Rick Johnson
91st	Kathlyn Fares
92nd	Charles (Chuck) Portwood
93rd	Jodi A. Stefanick
94th	Richard G. Byrd
95th	Jim Avery
96th	Patricia (Pat) Yaeger
97th	Walt Bivins
98th	Brian D. Nieves
99th	Mike Sutherland
100th	Sue Schoemehl
101st	(vacant)
102nd	Ryan McKenna
103rd	Mark C. Abel
104th	Wes Wagner
105th	Harold R. Selby
106th	Kevin Engler
107th	Dan Ward
108th	Thomas A. Villa
109th	Kevin Threlkeld
110th	Belinda Harris
111th	Charles W. Schlottach
112th	Merrill Townley
113th	Mark J. Bruns
114th	Bill Deeken
115th	Blaine Luetkemeyer
116th	Tom Self
117th	Larry Crawford
118th	Todd Smith
119th	Larry D. Wilson
120th	Shannon Cooper
121st	David Pearce
122nd	D. J. Davis
123rd	Brian L. Baker
124th	Rex Rector
125th	Jerry R. King
126th	Ed Emery

127th	Steve Hunter
128th	Bryan P. Stevenson
129th	Ron Richard
130th	Kevin Bill Wilson
131st	Marilyn Ruestman
132nd	Jack Goodman
133rd	Ronnie Miller
134th	James Viebrock
135th	Roy W. Holand
136th	B.J. Marsh
137th	Mark Wright
138th	Larry Morris
139th	Brad Roark
140th	Bob Dixon
141st	Jay Wasson
142nd	Jerry Bough
143rd	Maynard Wallace
144th	Van Kelly
145th	Mike Cunningham
146th	Randy Angst
147th	Mark Hampton
148th	Bill L. Ransdall
149th	Bob May
150th	Frank A. Barnitz
151st	Chuck Purgason
152nd	J. C. Kuessner
153rd	Mike Dethrow
154th	Gayle Kingery
155th	Wayne Cooper
156th	Rod Jetton
157th	Scott A. Lipke
158th	Jason G. Crowell
159th	Robert (Rob) Mayer
160th	Peter Myers
161st	Lanie Black
162nd	Terry Swinger
163rd	Otto Bean, Jr.

OATH OF OFFICE

Representative-elect Terry Swinger advanced to the bar and subscribed to the oath of office, which was administered by Speaker of the House, Catherine L. Hanaway at 12:06 p.m.

ADDRESS BY SPEAKER CATHERINE L. HANAWAY

Esteemed colleagues and honored guests, this year throughout Missouri and the nation we will celebrate the bicentennial of Lewis and Clark's Voyage of Discovery. It will be a wonderful year of celebrations around our state and a moment to reflect on the great achievements that have gone before us.

We should embrace, learn and take strength from history, but we can't change it. Our mission in this chamber is to change the future.

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The clearest view to the future is through the eyes of a child. During Thanksgiving week, my husband and I added a new child to our family. We traveled to the former Soviet Union the week of Thanksgiving to adopt our son, Jack.

We saw the remnants of the failed experiment that was Communism. We saw people whose spirits were broken, where living in a house was unusual, where cars were luxuries, and where tens of thousands of orphans wait to be adopted. Communism was an eighty-year experiment that proved that only through freedom will humanity flourish.

When we as legislators look forward through the eyes of Missouri's children, we must ask ourselves: What will the future be like? And, what am I doing about it?

In the future, I hope that this House will continue to be filled with public servants from every walk of life, who choose to leave behind their families, their businesses and their homes to serve here. I want to thank every member of this body for the sacrifices you make to be here.

I especially want to thank the families and friends of all the members. Coming here to serve is a privilege, staying home and keeping the fires burning is a tireless, largely thankless job and on behalf of all us to all of our loved ones *thank you*.

In the future, I also hope that this House continues to have the dedicated, selfless staff that serves every member and all Missouri every day. In advance of all the late nights and intense days, thank you to all those who work for the House.

When I look to the future, I want a Missouri where every Missourian lives up to their potential and steps up to their responsibility.

If we all pause for a moment and think about what we really wish for every Missourian, I think regardless of party and regardless of whether your district is urban or rural, the answers are the same.

Each and every one of us hopes, prays and works for a Missouri where every citizen is safe, healthy, sheltered, well fed, well educated, able to find a good job, and has the chance to dream and live big dreams.

We were elected by our fellow citizens to do much more than hope for a better future. We each need to ask ourselves: what am I doing about it?

First, we need to cut the ties that bind the potential of Missourians. For too long, state government has asked our fellow citizens to do their very best with one arm tied behind their back.

The first rope that should be cut is all the partisan fighting. It is time we start focusing on how we can empower people in and out of state government to live up to their potential. There are thousands of good people in state government who work hard and who know how things can be run better.

Instead of spending another session arguing over 1.1 percent, it is time we start talking about the quality of state services. 1.1 percent -- that was the difference between the budget proposed by the Governor and the budget truly agreed to and finally passed and signed into law.

If we do it again, Missourians will ask us all to answer the question of why we spent an entire session arguing over that 1.1 percent when they are feeling that they are not getting their money's worth on the other 98.9 percent.

Last year, I stood here and in a confrontational tone told the Governor a list of things he better not do. Amazingly, he choose not to take all my advice. This year, I say, Governor, I have no advice for you, but I am extending a hand. Let's leave last year's fights to last year.

Missourians know that we spend more than \$19 billion of their money every year on state government, and they want to know why that isn't enough. Why are there still failing schools in Missouri -- often the very schools where we

spend the most money per pupil? Why are the roads crumbling when we are spending part of the money for highways on other state services? Why do we have nearly twice as many people on Medicaid as the national average and yet some of our fellow citizens still have to use the emergency room as their primary doctor?

Together, we must answer those tough questions by building a Missouri that begins with accountability and ends with greater opportunity.

We are in a competition every day to be the place where businesses want to come, where doctors want to practice, where the best and brightest want to live. Only when each and every person is living up to their potential do we continue to be the place where groundbreaking medical research is done, food production leads the world, technology provides new jobs, *and all of that productivity allows us to take care of those who need our help.*

Let's be clear, the reason our disabled, our elderly, our abused children have a better life here than they do anywhere else in the world is because an incredible people have been set free to think, do and thrive. It is the science, the productivity and ingenuity of people left free that produces enough food, health care, housing, technology and compassion to care for our fellow man. We must cut every rope that holds back the ingenuity, the innovation, and the creativity of Missourians who can be problem-solvers.

Today, Missouri government stands between our great people and their potential. Taxation is necessary. It funds schools, transportation and services for the elderly and disabled, but people who don't have jobs don't pay taxes.

At this moment, when the economy appears to be taking a turn for the better as some people are starting to go back to work, we, as a government, cannot reach out our hand and skim off the top the first pay raises that people have seen in some time and the growth that is creating those new jobs.

Job creation must remain priority one.

Beyond taxation there are so many ways in which this government ties the hands of Missourians.

Look at the affordability and accessibility of health care. We have statutes on the books today that make health care more expensive and less available. At the top of the list of reforms that must be made is tort reform. We must free our physicians from frivolous, malicious, purposeless lawsuits.

In every town in this state, you need only ask the doctors what has happened to the cost of their medical malpractice insurance coverage. Time after time you will hear that the rate has increased by some ridiculous percentage -- in some instances as much as 500 percent without a claim.

The net result of these lawsuits run amuck is that doctors, where they can, are passing on those costs to patients and insurers, and in far too many cases are closing down their practices.

In Macon, Missouri, at this time last year, there were three physicians delivering babies. Last year during the legislative session, one of those physicians, Dr. Julie Wood, came here to testify in favor of tort reform. When tort reform was not signed into law, Dr. Julie Wood stopped practicing in Macon and the other two physicians stopped delivering babies. Now, the closest place for a Macon woman to have a baby is nearly an hour's drive away.

Our medical infrastructure is crumbling, and if we do nothing else this session, we will reduce the cost of medical liability insurance by passing meaningful tort reform.

Our state government stands between Missourians and jobs by making it more expensive to employ people in Missouri than it is to employ people in surrounding states -- the cost of unemployment compensation is just one example.

Our unemployment compensation fund is *bankrupt*, and everyday, every dollar paid to the unemployed is borrowed from the federal government at an interest rate of 6 percent -- a loan that must be repaid by employers.

Last year, this General Assembly passed a bill to bring the unemployment compensation fund back to solvency, but the Governor vetoed it. Governor, this year we must find a way to end this hidden tax on employers.

A quality public education is the one certain way to free all Missourians from the bonds of poverty and to open gates of opportunity. Making education the state's top funding priority goes beyond rhetoric. It requires that we make tough choices, that we choose to fund education even if it means cuts to other state departments.

Last year this General Assembly made that choice. While other parts of state government were cut almost \$400 million, total funding for education actually increased by \$186 million.

We balanced the budget, without a tax increase, and made education our highest priority. Let's do it again!

Our state government is standing between abused and neglected children and safety. There are more than 12,000 children who are currently our children, as a state government. They are those children who have been taken from their homes because they were being abused and neglected. We are failing these children. Some have died in foster care, hundreds have died because, even though we had reports of abuse and neglect, we didn't intervene; and there are many foster children we can't even locate. A child living in a reign of terror won't be given the chance to live up to his or her potential.

We have had more than enough audits, investigations, and even deaths to tell us we must reform this broken system.

With freedom comes responsibility. I invite every Missourian to join with government to solve these problems, to step up to the responsibility that lies with a people to whom so much has been given. Each and every citizen can give of our own special talents and address the most pressing needs in our communities. Step forward and help, volunteer, be a mentor. If your school needs help, answer the call. If a shelter needs food, give of your treasure. If a child needs a friend, take the time.

God has blessed us so greatly, I humbly ask that he continue to bless the work of this House and the future of our state.

The Bill of Rights was read by Miss Nykia Thomas, pursuant to Section 9.141, RSMo.

BILL OF RIGHTS

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

HOUSE RESOLUTIONS

Representative Lembke offered House Resolution No. 4.

Representative Schaaf, et al, offered House Resolution No. 6.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3 - Representative Crowell

House Resolution No. 5 - Representative Smith (14)

House Resolution No. 7 - Representative Ward

HOUSE CONCURRENT RESOLUTION

Representative Whorton offered House Concurrent Resolution No. 4.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 5, introduced by Representatives Byrd, Luetkemeyer and Hanaway, relating to State of Missouri Vendor Payroll Deductions.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 27, introduced by Representatives Whorton, Hampton, Myers, Barnitz, Wood, Behnen, Ward, Darrough, Wildberger and Harris (23), relating to the right to hunt, fish and harvest game.

HJR 28, introduced by Representatives Roark, Wilson (119), Sutherland and Dusenberg, relating to state budget recommendations.

HJR 29, introduced by Representatives Ward and Skaggs, relating to term limits.

HJR 30, introduced by Representatives Riback Wilson (25), Hilgemann, Walker, Graham, Lowe, Donnelly, Harris (23), Johnson (90), Campbell and Sager, to ratify a proposed amendment to the Constitution of the United States.

HJR 31, introduced by Representative Harris (23), relating to the powers and duties of the state highways and transportation commission.

HJR 32, introduced by Representatives Seigfreid and Davis (122), relating to compensation of members of the general assembly.

HJR 33, introduced by Representatives King and Johnson (47), relating to special charter counties.

HJR 34, introduced by Representatives Black, Dusenberg, Harris (23), Munzlinger, Deeken, Muckler, Holand, Whorton, Myers, Sander, Bishop, Bivins and Yaeger, relating to powers and duties of the state highways and transportation commission.

HJR 35, introduced by Representatives Dethrow, Purgason, Ervin, Hanaway, Townley, Whorton, Myers, Sager, Sander, Munzlinger, Hampton, Wilson (119), Luetkemeyer, Darrough, Barnitz and Hunter, relating to fish, wildlife and forestry management.

HJR 36, introduced by Representatives Dusenberg, King, Moore, Reinhart, LeVota, Miller and Wallace, relating to the department of transportation.

HJR 37, introduced by Representatives Threlkeld, Yates, Lembke, Dixon, Hilgemann, Bough, Engler, Fraser, Bearden and Morris, relating to the general assembly.

HJR 38, introduced by Representatives Avery, Kingery, Self, Davis (19), Quinn, Brown, Sander, Bivins, Pearce, Smith (14), Luetkemeyer, Wilson (119), Lembke, Rupp and Pratt, relating to the prohibition of same-sex marriage.

HJR 39, introduced by Representatives Crowell, Engler, Dusenberg, Dixon, Reinhart, Townley, Myers, Angst, Dempsey, Roark, King, Sander, Munzlinger, Moore, Stevenson, Lipke, Davis (19), Ervin, Baker, Stefanick, Willoughby, Phillips, Yates, Lembke, Cunningham (86), Pearce, Cunningham (145), Sutherland, Smith (14), Jetton, Icet, Bivins, Kelly (36), Muckler, Hanaway and Shoemaker, relating to the prohibition of same-sex marriage.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 762, introduced by Representatives Whorton, Myers, Ransdall, Salva, Wallace and Taylor, relating to limitation on liability of certain municipalities.

HB 764, introduced by Representative Roark, relating to drunkenness or drinking in certain public places.

HB 765, introduced by Representative Roark, relating to credit for income tax paid in another state.

HB 766, introduced by Representative Roark, relating to municipally owned utilities.

HB 767, introduced by Representatives Schaaf and Wildberger, relating to state institutions of higher education.

HB 768, introduced by Representatives Ward and Skaggs, relating to assault of corrections personnel.

HB 769, introduced by Representatives Ward and Johnson (90), relating to financial assistance for food pantries.

HB 770, introduced by Representative Ward, relating to motorcycles.

HB 771, introduced by Representative Green, relating to property taxation.

HB 772, introduced by Representatives Myers, Moore, Wilson (119), Byrd, Hampton, Fraser, Richard, Bough, Harris (110), Engler, Reinhart, Smith (118), Page, Ransdall, Pearce, Dixon, Cooper (120), Schlottach and Quinn, relating to waste tires.

HB 773, introduced by Representative Icet, relating to students admissible to the University of Missouri.

HB 774, introduced by Representatives Sander, Myers, Moore, Wilson (119), Byrd, Whorton, Riback Wilson (25), Hampton, Fraser, Richard, Graham, Bough, Harris (110), Engler, Reinhart, Smith (118), Page, Schlottach, Wallace, Ransdall, Pearce, Dixon, Cooper (120) and Quinn, relating to waste tires.

HB 775, introduced by Representative Johnson (47), relating to tax increment financing guidelines.

HB 776, introduced by Representative Johnson (47), relating to limitations on campaign contributions.

HB 777, introduced by Representatives Marsh, Portwood, Villa, Hanaway, Schneider, Lembke, Spreng, Parker, Bivins, Walsh, Jones, Morris, Haywood, Walton, Moore, Hilgemann, Yaeger, Ransdall, Kuessner, Salva, Darrough, Schoemehl, Barnitz, Wildberger, Young, Selby, Kratky, Lowe, McKenna, Johnson (61), Ward, Lawson, Campbell, Meiners, Boykins, Hubbard, Hoskins, Curls, Dougherty, Fraser, Bland, Green, Walker, Thompson, Hampton, Wagner, Bough, Wallace, Viebrock, Wilson (119), Taylor, Goodman, Miller, Emery, Roark, Holand, Mayer, Ruestman, Kelly (144), Crowell, Wright, Purgason, Dethrow, King, Wilson (42), Bishop, Burnett, May, Schaaf, Schlottach, Wilson (130), Ervin, Dixon, Wood, Angst, Cunningham (145), Nieves, Engler, Reinhart, St. Onge, Lipke, Shoemaker, Dempsey, Rupp, Davis (19), Stefanick, Sanders Brooks, Hunter, Bearden, Myers, Jackson, Phillips, Kingery, Watson, Bruns, Richard, Crawford, Stevenson, Cooper (155), Byrd, Donnelly and Jetton, relating to names of state colleges.

HB 778, introduced by Representative Johnson (47), relating to tax credits for distressed communities.

HB 779, introduced by Representatives Lowe, Walsh, Wildberger, George, Schoemehl, Jolly, Corcoran, Muckler, Kratky, Harris (23), Liese, Ward and Darrough, relating to oversight of public privatization contracts.

HB 780, introduced by Representative Riback Wilson (25), relating to watercraft.

HB 781, introduced by Representative George, relating to noncertificated school employees.

HB 782, introduced by Representatives George, McKenna and Walsh, relating to employment security.

HB 783, introduced by Representative Walton, relating to school districts.

HB 784, introduced by Representatives Walton, Green, Johnson (61), El-Amin, Boykins, Hoskins, Haywood, Fraser, Riback Wilson (25), Johnson (90) and Myers, relating to false impersonation.

HB 785, introduced by Representative Walton, relating to fire protection.

HB 786, introduced by Representatives Jolly, Johnson (90), Willoughby, Meiners, Dusenberg, Donnelly, Wildberger, Morris, Harris (23), LeVota and Sager, relating to sexual offender treatment.

HB 787, introduced by Representatives Jolly, Johnson (90), Morris, Wildberger, Harris (23), Meiners and Sager, relating to sentencing.

HB 788, introduced by Representative Graham, relating to rock wall climbing equipment.

HB 789, introduced by Representatives Burnett and Sager, relating to reinstatement of drivers' licenses.

HB 791, introduced by Representative Boykins, relating to distribution of controlled substances near schools.

HB 792, introduced by Representatives Boykins, Jones and Moore, relating to barber apprentices.

HB 793, introduced by Representative Riback Wilson (25), relating to the death penalty.

HB 794, introduced by Representatives Riback Wilson (25), Jones, Fraser, Walker and Burnett, relating to sexual misconduct in the first degree.

HB 795, introduced by Representative Johnson (47), relating to county boards of equalization membership.

HB 796, introduced by Representative Johnson (47), relating to sales tax refunds.

HB 797, introduced by Representative Whorton, relating to property assessment.

HB 798, introduced by Representatives Shoemaker, Sander and Myers, relating to civil surcharges.

HB 799, introduced by Representatives Roark, Baker, Sutherland, Phillips, Nieves, Reinhart, Stefanick, Sander and Ervin, relating to covenant marriage.

HB 800, introduced by Representative Johnson (47), relating to the Missouri Rx card program.

HB 801, introduced by Representative Smith (118), to authorize the governor to convey land owned by the state in the county of Pettis.

HB 802, introduced by Representative Smith (118), to authorize the governor to convey land owned by the state in the county of Pettis.

HB 803, introduced by Representatives Lipke, Crowell and Mayer, relating to the construction and maintenance of highways.

HB 804, introduced by Representatives Richard, Cunningham (145) and Ervin, relating to department of insurance expenses paid by insurance companies.

HB 805, introduced by Representative Selby, relating to a sales tax exemption for certain vehicles.

HB 806, introduced by Representative Selby, relating to property taxation.

HB 807, introduced by Representative Selby, relating to campaign contribution taxes for education.

HB 808, introduced by Representative Bean, relating to employment security.

HB 809, introduced by Representative Bean, relating to a children's mental health service system.

HB 810, introduced by Representative Bean, relating to the prevailing wage.

HB 811, introduced by Representative Bland, relating to the task force on trade and investment.

HB 812, introduced by Representative Bland, relating to installment payments of property taxes in certain charter counties.

HB 813, introduced by Representative Bland, relating to drivers license reinstatement.

HB 814, introduced by Representative Bland, relating to highways.

HB 815, introduced by Representative Bland, relating to gaming.

HB 816, introduced by Representatives Walker, Meiners, Moore, Whorton, Walsh, Sager, Sander, Schoemehl, Harris (110), Graham and Wildberger, relating to the recognition of languages used by the deaf community.

HB 817, introduced by Representative Boykins, relating to election of school board members.

HB 818, introduced by Representatives Daus, Skaggs, Sager, Taylor, Townley, Villa and Wildberger, relating to insurance companies owning or contracting with motor vehicle body repair shops.

HB 819, introduced by Representative Thompson, relating to traffic violation records.

HB 820, introduced by Representative Thompson, relating to compensation for wrongful imprisonment.

HB 821, introduced by Representative Thompson, relating to personnel records of peace officers.

HB 822, introduced by Representatives Luetkemeyer, Selby, Moore, Sander, Whorton and Ruestman, relating to amateur radio antenna regulations.

HB 823, introduced by Representatives Cooper (120), Whorton, Sutherland, Deeken, Bough, Wasson, Munzlinger, Wilson (119), Myers, Sander, Shoemyer and Behnen, relating to property assessment.

HB 824, introduced by Representative Seigfreid, relating to municipal transient guest taxes.

HB 825, introduced by Representatives Wildberger, Walker, Marsh, Bough, Meiners and Schaaf, relating to names of certain colleges and institutions.

HB 826, introduced by Representative Kelly (144), relating to the Laura Ingalls Wilder Memorial Highway.

HB 827, introduced by Representatives LeVota and Shoemyer, relating to the Hancock Amendment Refund Trust Fund.

HB 828, introduced by Representatives Whorton, Myers, Selby, Taylor and Barnitz, relating to insurance policy fees for fire department training.

HB 829, introduced by Representative Shoemyer, relating to the seed availability and competition act.

HB 830, introduced by Representative Henke, relating to disposition of abandoned motor vehicles.

HB 831, introduced by Representative Villa, relating to the state highways and road system.

HB 833, introduced by Representatives Luetkemeyer, Cooper (155), Stevenson, Richard, Purgason, Hunter, Schaaf, Emery, Wilson (130) and Self, relating to the creation of exhibition center and recreational facility districts.

HB 834, introduced by Representatives Johnson (47), Zweifel, Darrough, Bishop, LeVota, Taylor and Byrd, relating to property insurance.

HB 835, introduced by Representatives Cunningham (86) and Sander, relating to specialty license plates.

HB 836, introduced by Representative Cunningham (86), relating to commercial motor vehicles.

HB 837, introduced by Representatives Cunningham (86), Sander and Jetton, relating to the practice of veterinary medicine.

HB 838, introduced by Representative Cunningham (86), relating to contractor qualifications.

HB 839, introduced by Representatives Moore, Sander, Engler, Kelly (36), Purgason, Kelly (144), Bean, Baker, Bruns and Hunter, relating to victim notification.

HB 840, introduced by Representatives Jolly, Schoemehl, Engler, Darrough and Wallace, relating to school discipline.

HB 841, introduced by Representative Angst, relating to containers on watercraft.

HB 842, introduced by Representative Angst, relating to the licensing of electricians and plumbers in certain municipalities.

HB 843, introduced by Representative Angst, relating to enterprise zones in certain counties.

HB 844, introduced by Representatives Mayer, Hunter, Hanaway, Crowell, Wilson (130), Purgason, Cunningham (86), Icet, Wallace, Jetton, Bearden, Smith (118), Reinhart, Richard, Crawford, Myers, Guest, Bean, King, Bough, Hobbs, Bivins, Stefanick, Stevenson, Dethrow, Dempsey and Ruestman, relating to the establishment of the open contracting act.

HB 845, introduced by Representatives Purgason, Munzlinger, Reinhart, Jetton, Wallace and Miller, relating to commercial driver's license testing.

HB 846, introduced by Representatives Purgason, Reinhart, Ruestman, Meiners, Sander, Dixon, Engler, King, Phillips, Myers, Munzlinger, Reinhart, Dusenber, Smith (14), Cooper (120), Stefanick, Moore, Rector, Wallace and Miller, relating to parental visitation rights.

HB 847, introduced by Representatives Pearce, Quinn, Rector, Barnitz, Wildberger, Townley, Wilson (119), Shoemyer, Sander, Viebrock, Guest, Dethrow, Cooper (120), Davis (122), Whorton, King, Graham, Seigfreid, Sutherland, Munzlinger and Kelly (36), relating to board of education contract modifications.

HB 848, introduced by Representative Hubbard, relating to a bioterrorism vaccination program for first responders deployed to disaster locations.

HB 849, introduced by Representative Hubbard, relating to prevention, screening, and treatment of lead poisoning.

HB 850, introduced by Representative Liese, relating to identity fraud.

HB 851, introduced by Representative Cooper (120), relating to emergency sirens in public schools.

HB 852, introduced by Representative Holand, relating to immunizations and dental fillings.

HB 853, introduced by Representatives Holand, Davis (122), Walker, Pearce and Schoemehl, relating to orientation and training of school board members.

HB 854, introduced by Representatives Holand and Davis (122), relating to alternative education programs.

HB 855, introduced by Representatives Holand, Riback Wilson (25), Fraser, Davis (122), Donnelly, Harris (23), Moore and Hanaway, relating to insurance coverage for mental health.

HB 856, introduced by Representatives Holand, Davis (122), Morris, Walker, Barnitz and Wallace, relating to school district tax alternatives.

HB 857, introduced by Representatives Black, Dusenberg, Harris (23), Munzlinger, Deeken, Muckler, Holand, Whorton, Myers, Sander, Bishop, Bivins and Yaeger, relating to authority of the state highways and transportation commission.

HB 858, introduced by Representatives Dusenberg, LeVota, Pratt, Ruestman, Wallace and Miller, relating to sex offenders.

HB 859, introduced by Representatives Dusenberg, Reinhart, Sutherland, Wilson (119) and Sager, relating to an income tax credit for surviving spouses of certain public safety officers.

HB 860, introduced by Representatives Rupp and Cunningham (86), relating to applicants for higher education financial assistance.

HB 861, introduced by Representatives McKenna, LeVota, Walsh, Dusenberg, Meiners, Moore, Myers and Yaeger, relating to flashing warning signals on certain motor vehicles.

HB 862, introduced by Representatives Holand, Hampton and Davis (122), relating to illegal deer harvest.

HB 863, introduced by Representative Richard, relating to offenses against public order.

HB 864, introduced by Representatives Townley, Munzlinger, Ruestman and Wallace, relating to registration of farm names.

HB 865, introduced by Representatives Townley, Ruestman and Wallace, relating to minority teaching scholarships.

HB 866, introduced by Representatives Townley, Cunningham (86), Phillips, Myers and Wallace, relating to immunizations for school children.

HB 867, introduced by Representatives Johnson (47), Jolly and Curls, relating to certain police officers.

HB 868, introduced by Representatives Wildberger, Walker, Whorton, Barnitz, Johnson (90), Salva and Sager, relating to insurance credit scores.

HB 869, introduced by Representatives Townley, Hobbs and Barnitz, relating to veterinarians.

HB 870, introduced by Representatives Harris (23), Bringer, Zweifel, Schoemehl, Graham, Fraser, Sager, Whorton, Carnahan, Walsh, Young, Henke, Burnett, Walker, Vogt, Yaeger, Stevenson, Dougherty, Sutherland, Salva and Johnson (90), relating to electronic public meetings and records.

HB 871, introduced by Representative Thompson, relating to an income tax credit for gifts of personal property to certain persons.

HB 872, introduced by Representative Thompson, relating to tax relief for veterans.

HB 873, introduced by Representative Salva, relating to the substance abuse traffic offender program.

HB 874, introduced by Representative Salva, relating to driver's licenses.

HB 875, introduced by Representative Salva, relating to bingo and satellite bingo.

HB 876, introduced by Representative Salva, relating to arrest records.

HB 877, introduced by Representatives Salva, Dougherty and Wildberger, relating to insurance credit scoring.

HB 878, introduced by Representatives Salva, Dougherty and Wildberger, relating to child support payments and records.

HB 879, introduced by Representatives Salva and Dougherty, relating to historic structures rehabilitation tax credits.

HB 880, introduced by Representatives Salva, Dougherty and Pratt, relating to enterprise zones in certain cities.

HB 881, introduced by Representatives Bruns, Angst, Rupp, Sander, Munzlinger, Sager, Dethrow, Whorton, Smith (118), Engler, King, Phillips, Myers, Harris (23), Reinhart, Dusenberg, Moore, Wilson (119), Sutherland, Smith (14), Jetton, Rector, Wallace, Miller, Purgason, Hobbs and Bivins, relating to an income tax exemption for military service personnel.

HB 882, introduced by Representatives Graham, Yaeger, Burnett and Walker, relating to employee's wages.

HB 883, introduced by Representatives Graham, Seigfreid, Johnson (90), Moore, Wallace, Dusenberg, Walsh, Reinhart and Yaeger, relating to memorial highway.

HB 884, introduced by Representative Ward, relating to property and casualty insurance.

HB 885, introduced by Representatives Wilson (130), Davis (19), Bearden, Baker, Myers, Deeken, Bough, Dusenberg, Ruestman, Emery, Stevenson, Rupp, Reinhart, Townley, Sander, Ervin and Hunter, relating to discrimination policies.

HB 886, introduced by Representative Bland, relating to police residency requirements.

HB 887, introduced by Representative Bland, relating to the regulation and licensing of certain professions.

HB 888, introduced by Representative Bland, relating to alternative education programs.

HB 889, introduced by Representative Bland, relating to waste tires.

HB 890, introduced by Representative Bland, relating to the creation of a death penalty commission.

HB 891, introduced by Representative Bland, relating to the Missouri minority business advocacy commission.

HB 892, introduced by Representative Bland, relating to highways.

HB 893, introduced by Representatives Icet, Myers, Phillips, Morris, Reinhart, Meiners, Luetkemeyer and Muckler, relating to tax credits for contributions to pregnancy resource centers.

HB 894, introduced by Representatives Salva and Wildberger, relating to the senior Rx program.

HB 895, introduced by Representatives Emery, Wilson (130), Richard, Hunter, Ruestman and Stevenson, relating to dissolution of certain road districts.

HB 896, introduced by Representatives Mayer, Kuessner, Richard, Myers, Bean, Reinhart, Engler, Sager, Hunter, Munzlinger, Davis (122), Wilson (130), Harris (110), Moore, Wagner, Quinn, Cooper (120), Bivins, Wildberger, Lembke, Smith (14), Ruestman, Smith (118), Stevenson, Ward, Kingery, Taylor, Salva, Bruns, Henke, Sander and Wasson, relating to the Missouri state park board.

HB 897, introduced by Representatives Johnson (47), Pratt, Dusenberg, Yates, Campbell and Davis (122), relating to state aid for public schools.

HB 898, introduced by Representatives Johnson (47), Cooper (120), Bearden, Ervin, Stefanick, Nieves, Rupp, Dusenberg, Portwood, Phillips, Ransdall, Shoemyer, Corcoran, Hanaway and Hubbard, relating to the prescription drug repository program.

HB 899, introduced by Representative Vogt, relating to the St. Louis students' bill of rights.

HB 900, introduced by Representatives Taylor, Wallace, Viebrock, Wasson, Dusenberg, Townley, Whorton, King, Wilson (119), Myers, Stevenson, Quinn and Marsh, relating to voter registration.

HB 901, introduced by Representatives Deeken, Kelly (36), Meiners, Cunningham (145), Holand, Walker, Reinhart, Dusenber, Riback Wilson (25), Bean, Skaggs and Bishop, relating to the reduction of alcohol-related problems.

HB 902, introduced by Representatives Fares, Cunningham (86), Reinhart, Lembke, Holand, Bivins, Fraser, Stefanick, Vogt, Villa, Schoemehl, Bearden and Walker, relating to the taxation of property.

HB 903, introduced by Representatives Fares, Reinhart, Wilson (119), Sutherland, Cooper (120), Bivins, Fraser, Yaeger, St. Onge, Crowell and Walker, relating to senior citizens property tax relief.

HB 904, introduced by Representative Luetkemeyer, relating to bulk transfers.

HB 905, introduced by Representative Riback Wilson (25), relating to eviction notice provisions for manufactured or mobile home land lease communities.

HB 906, introduced by Representatives LeVota and Donnelly, relating to restrictions and limitations on campaign contributions.

HB 907, introduced by Representatives LeVota, Muckler and Davis (19), relating to billboards.

HB 908, introduced by Representative LeVota, relating to tax credits for distressed communities.

HB 909, introduced by Representative LeVota, relating to motor vehicles.

HB 910, introduced by Representative LeVota, relating to wireless service provider enhanced 911.

HB 911, introduced by Representatives Cooper (155), Reinhart, Davis (19), Nieves, Phillips, Emery and Hunter, relating to standard science instruction.

HB 912, introduced by Representatives Page, Liese, Schoemehl, Vogt, Yaeger, Hoskins, Corcoran, Fraser, Haywood, Zweifel, Walton, Thompson, Muckler, Donnelly, George, Walsh, Darrough and Spreng, relating to the designation of a memorial highway.

HB 913, introduced by Representative Davis (19), relating to powers of certain cities of the fourth classification.

HB 914, introduced by Representatives Portwood, Phillips, Bean, Spreng, Lembke, Munzlinger, Rupp, Sander, Myers, Cunningham (145), Engler, Emery, Brown, Icet, Dempsey, Dusenber, Bivins, Reinhart, Stevenson, Cooper (120), Baker, Hunter, Davis (122), Deeken, Goodman, Bearden and Wright, relating to disposition of human fetal remains.

HB 915, introduced by Representatives Portwood, Lembke, Phillips, Spreng, Moore, Dempsey, Munzlinger, Reinhart, Hanaway, Yates, Emery, Brown, Icet, Davis (122), Deeken, Stevenson, Cooper (120), Cunningham (145), Baker, Engler, Hunter, Smith (14), Bearden, Goodman, Wright and Bruns, relating to informed consent for abortion.

HB 916, introduced by Representatives Brown, Page, Myers, Munzlinger, Hanaway, Dusenberg, Yates, Smith (14), Lembke and Wilson (119), relating to identity theft.

HB 917, introduced by Representatives Brown, Munzlinger, Dusenberg and Smith (14), relating to disciplinary action against law enforcement officers.

HB 918, introduced by Representatives Brown, Meiners and Dusenberg, relating to occupational diseases.

HB 919, introduced by Representative Cooper (120), relating to unlawful purchase, ownership or possession of body armor.

HB 920, introduced by Representatives Walsh, Meiners and Byrd, relating to student athletes.

HB 921, introduced by Representatives Walsh, Meiners, Sander, Wildberger, Yaeger, Whorton and Jolly, relating to required usage of lighted lamps by motor vehicle operators.

HB 922, introduced by Representative Bland, relating to reinstatement of licenses.

HB 923, introduced by Representatives Holand and Fraser, relating to the Missouri family trust.

HB 924, introduced by Representative Behnen, relating to architects, professional engineers, and land surveyors.

HB 925, introduced by Representative Threlkeld, relating to leaving a child unattended in a motor vehicle.

HB 926, introduced by Representative Threlkeld, relating to the designation of the official flying mammal of the state of Missouri.

HB 927, introduced by Representatives Bivins and Byrd, relating to tax increases on property owned by senior citizens.

HB 928, introduced by Representatives Bivins, Engler, Byrd, Munzlinger and Sander, relating to intermediate driver's licenses.

HB 929, introduced by Representatives Bivins, Engler, Dusenberg, Moore, Byrd, Stefanick, Munzlinger, Sander and Icet, relating to sexual offenses.

HB 930, introduced by Representatives Bivins, Cooper (155), Stefanick, Sander and Icet, relating to state aid for public schools.

HB 931, introduced by Representatives Bivins, Portwood, Engler, Henke, Dusenberg, Moore, Cunningham (145), Wilson (119), Sager, Sander and Icet, relating to DNA profiling system.

HB 932, introduced by Representatives Bivins and Villa, relating to water pollution control bonds.

HB 933, introduced by Representatives Bivins, Munzlinger, Sander and Icet, relating to environmental audit privileges.

HB 934, introduced by Representatives Moore, Luetkemeyer, Lembke, Cooper (120), Sutherland, Bruns, Stefanick, Ervin, Sager, Sander, Munzlinger and Pearce, relating to income taxation.

HB 935, introduced by Representatives Moore, Reinhart, Fares, Bivins, Ruestman, Cooper (120), Cunningham (86), Bough and Bruns, relating to student volunteer opportunities.

HB 936, introduced by Representatives Moore, Graham, Meiners, Walker, Reinhart, Sager, Schaaf, Dusenberger, Sutherland, Ruestman, Wallace, Sander, Vogt, Portwood and Threlkeld, relating to health insurance coverage for children's hearing aids.

HB 937, introduced by Representatives Moore, Byrd, Engler, Hobbs and Quinn, relating to special license plates.

HB 938, introduced by Representative Luetkemeyer, relating to annuity contracts.

HB 939, introduced by Representative Cunningham (86), relating to statutory construction.

HB 940, introduced by Representative Cunningham (86), relating to the governing council of certain special school districts.

HB 941, introduced by Representative Cunningham (86), relating to lapse of district corporate organization.

HB 942, introduced by Representatives Munzlinger, Myers, Reinhart, Smith (118), Shoemaker, Sander, Deeken and Quinn, relating to county finance estimates.

HB 943, introduced by Representative Johnson (47), relating to assisted living facilities.

HB 944, introduced by Representative Hoskins, relating to complaints filed with the Missouri ethics commission.

HB 945, introduced by Representatives Jolly, Johnson (90), Willoughby, Wildberger, Zweifel, Walsh, Darrough, LeVota, Meiners, Walker, Whorton, Schoemehl, Skaggs, Yaeger, Young and Muckler, relating to accountability for economic incentive and tax credits.

HB 946, introduced by Representatives Crawford and Schlottach, relating to state highways and transportation commission member leadership selection.

HB 947, introduced by Representatives Crawford and Guest, relating to nuisances.

HB 948, introduced by Representatives Purgason and Angst, relating to county classification.

HB 949, introduced by Representatives Crowell, Dusenberg, Myers, Townley, Sander, King, Stevenson, Lipke, Reinhart, Yates, Smith (14), Icet, Miller and Hanaway, relating to inaugural committees.

HB 950, introduced by Representatives Crowell, Myers, Lipke, Stevenson, Sutherland, Jetton and Hanaway, relating to classification of counties.

HB 951, introduced by Representatives Crowell, Dixon, Dempsey, Townley, Myers, Moore, Stevenson, Phillips, Reinhart, Icet and Shoemaker, relating to campaign committees.

HB 952, introduced by Representatives Crowell, Dusenberg, Townley, Myers, King, Stevenson, Moore, Lipke, Baker, Reinhart, Smith (14), Icet and Shoemaker, relating to real estate transactions of the department of transportation.

HB 953, introduced by Representatives Crowell, Townley, Stevenson, Lipke, Reinhart, Icet and Bivins, relating to the state highways and transportation commission.

HB 954, introduced by Representatives Crowell, Townley, Stevenson, Lipke, Reinhart, Icet and Shoemaker, relating to higher education boards.

HB 955, introduced by Representatives Portwood, Behnen and Yaeger, relating to dietitians.

HB 956, introduced by Representatives May, Taylor, Quinn, Moore, Hilgemann, Munzlinger, Hobbs, Wilson (119), Viebrock and Jetton, relating to the official state grass.

HB 957, introduced by Representatives Cunningham (145), Lembke, Smith (118), Bough, Angst, Mayer, Salva, Sutherland, Munzlinger, Skaggs, Dusenberg, Brown, Sander, Bivins and Smith (14), relating to the war on terror scholarship program.

HB 958, introduced by Representatives Crawford, Sutherland, Cooper (120), Smith (118), Bearden, Deeken, Wilson (119), Henke and Shoemyer, relating to county assessment funds.

HB 959, introduced by Representatives Luetkemeyer, Pearce, Morris, Dixon, Yates, Sutherland, Willoughby, Moore, Richard, Parker, Jetton, Reinhart, Munzlinger, Myers, Engler, Hobbs, Deeken, Ervin, Smith (118), Wilson (119) and Cooper (155), relating to banking.

HB 960, introduced by Representative Roark, relating to the Trooper Russell Harper Memorial Highway.

HB 961, introduced by Representative Selby, relating to railroads.

HB 962, introduced by Representatives May, Deeken, Reinhart, Byrd, Whorton, Jetton and Myers, relating to campaign finance filing requirements.

HB 963, introduced by Representatives Burnett, Whorton and Walsh, relating to drug prescriptions.

HB 964, introduced by Representatives Burnett, LeVota and Muckler, relating to payday loans.

HB 965, introduced by Representatives Rector, Hobbs, Kelly (144) and Rupp, relating to immunity from civil liability for certain landowners.

HB 966, introduced by Representatives Burnett, LeVota, Vogt, Dougherty, Meiners, Bishop, Harris (23), Young and Skaggs, relating to motor vehicle time sales.

HB 967, introduced by Representative Richard, relating to insurance company premium taxes.

MOTION

Representative Crowell moved that House Rule 59 be suspended to allow **House Resolution No. 1, House Resolution No. 2, House Concurrent Resolution No. 1, House Concurrent Resolution No. 2 and House Concurrent Resolution No. 3** to be offered and adopted on the House floor.

Which motion was adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson

Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Campbell	Carnahan	Holand	Johnson 61
Reinhart				

VACANCIES: 001

HOUSE RESOLUTIONS

Representative Crowell offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED that the Chief Clerk of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Crowell, **House Resolution No. 1** was adopted.

Representative Crowell offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-second General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crowell, **House Resolution No. 2** was adopted.

HOUSE CONCURRENT RESOLUTIONS

Representative Crowell offered **House Concurrent Resolution No. 1**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED by the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 14, 2004, to receive a message from His Honor Ronnie L. White, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and Senate of the Ninety-second General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crowell, **House Concurrent Resolution No. 1** was adopted.

Representative Crowell offered **House Concurrent Resolution No. 2**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED by the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 21, 2004, to receive a message from His Excellency, the Honorable Bob Holden, Governor of the State of Missouri; and

BE IT RESOLVED that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-second General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crowell, **House Concurrent Resolution No. 2** was adopted.

Representative Crowell offered **House Concurrent Resolution No. 3**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 3

BE IT RESOLVED by the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 28, 2004, to receive a message from Henry Hungerbeeler, Director of the Missouri Department of Transportation; and

BE IT RESOLVED that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Director of the Missouri Department of Transportation and inform him that the House of Representatives and Senate of the Ninety-second General Assembly, Second Regular Session, are now organized and ready for business and to receive the State of the State of Transportation address, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crowell, **House Concurrent Resolution No. 3** was adopted.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1075**.

SENATE RESOLUTION NO. 1075

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-second General Assembly is duly convened and is now in session and ready for consideration of business.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Burnett has been appointed a member of the Crime Prevention and Public Safety Committee.

Representative Darrough is no longer a member of the Appropriations-Agriculture and Natural Resources Committee and has been appointed a member of the Conservation and Natural Resources Committee.

Representative El-Amin is no longer a member of the Tourism and Cultural Affairs Committee and has been appointed a member of the Children and Families Committee.

Representative Harris (110) is no longer a member of the Conservation and Natural Resources Committee.

Representative Johnson (90) is no longer a member of the Crime Prevention and Public Safety Committee; Judiciary Committee; and Workforce Development and Workplace Safety Committee.

Representative Jolly is no longer a member of the Local Government Committee and has been appointed a member of the Judiciary Committee.

Representative Kelly (36) is no longer a member of the Retirement Committee.

Representative Kuessner has been appointed a member of the Small Business Committee.

Representative Seigfreid is no longer a member of the Conservation and Natural Resources Committee and has been appointed a member of the Appropriations-Agriculture and Natural Resources Committee.

Representative Skaggs has been appointed a member of the Local Government Committee.

Representative Swinger has been appointed a member of the Appropriations-Public Safety and Corrections Committee; Agriculture Committee; Crime Prevention and Public Safety Committee; and Job Creation and Economic Development Committee.

Representative Walker is no longer a member of the Children and Families Committee and has been appointed a member of the Tourism and Cultural Affairs Committee.

Representative Vogt has been appointed a member of the Workforce Development and Workplace Safety Committee.

Representative Yaeger has been appointed a member of the Retirement Committee.

COMMUNICATION

January 7, 2004

Steve Davis, Chief Clerk
Missouri House of Representatives
The State Capitol
Jefferson City, MO 65101

Dear Mr. Clerk:

Per RSMo 105.461, I am informing you that my wife and myself have invested in the Sho-Me Livestock Cooperative.

Please contact me if you have any questions.

Sincerely,

/s/ Representative Frank A. Barnitz
Missouri House of Representatives
District 150

WITHDRAWAL OF HOUSE BILLS

January 7, 2004

TO: Steve Davis, Chief Clerk

FROM: Representative Brad Roark

DATE: January 7, 2004

RE: HB 763

Please accept my request to withdraw **HB 763**.

Thank you for your assistance in this matter.

December 2, 2003

Steve Davis, Chief Clerk
Chief Clerk's Office
Capitol Building
Jefferson City, Missouri 65101

Dear Mr. Davis:

I would like to request that **House Bill 790** filed December 1, 2003 be withdrawn.

Thank you for your consideration in this matter.

Sincerely,

/s/ Scott A. Lipke

December 17, 2003

Mr. Stephen Davis
Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Steve:

I request that **House Bill 832** be withdrawn. Thanks for your assistance to this request.

Sincerely,

/s/ Michael L. Cunningham
State Representative
District 145

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, January 8, 2004.

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 8, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 5

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 27 through HJR 39

HOUSE BILLS FOR SECOND READING

- 1 HB 762
- 2 HB 764 through HB 789
- 3 HB 791 through HB 831
- 4 HB 833 through HB 967

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 8, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Yesterday, Speaker Hanaway said, "Freedom makes all the difference" between the human progress in our country and that in other countries that are less free.

Let us pray. Lord, our God, we thank You for the priceless gift of freedom. To nearly all of us it came with the gift of being born in this land, this very free society. Therefore, our freedom is Your gift, O Lord.

Your holy word teaches us, "Be free, yet without using freedom as a pretext for evil," (I Peter 2:16). By Your helping grace and Your inspiration may we live up to this word.

Again Your word urges us to remain focused upon the truth, in our daily life and in our work, for "the truth will set you free," (John 8:32). For the sake of those whom we serve, may we live by this word.

Lord God, through our work in the Missouri House of Representatives, help us to play our part in the life of this state, that its attention may be directed toward justice, peace, and the true freedom of all its people.

Finally, we pray for the safety of our men and women in our armed forces, especially those serving in Afghanistan and in Iraq. Their efforts have so much to do with freedom, both in those lands and in our own. Bring them safely back home to us.

All this we ask of You, our God and Father, living and reigning in perfect freedom forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as corrected by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Graham	Green

Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 004

Donnelly	El-Amin	Sager	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Campbell	Carnahan	Fraser	Holand
Johnson 61	Reinhart	Ward		

VACANCIES: 001

SPECIAL RECOGNITION

Speaker Hanaway recognized Darrell Jackson, former Director of House Research, and presented him with a resolution for his twenty-seven years of service to the Missouri House of Representatives.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 8	-	Representative Sutherland
House Resolution No. 9	-	Representative Crowell
House Resolution No. 10	-	Representative Dethrow
House Resolution No. 11	-	Representative Bearden
House Resolution No. 12		
and		
House Resolution No. 13	-	Representative Smith (14)
House Resolution No. 14		
and		
House Resolution No. 15	-	Representative George

House Resolution No. 16 - Representatives Deeken and Bruns
House Resolution No. 17 - Representative Yaeger
House Resolution No. 18 - Representative Jackson
House Resolution No. 19 - Representative Boykins
House Resolution No. 20 - Representative Schoemehl
House Resolution No. 21 - Representative Bean
House Resolution No. 22 - Representative Lipke
House Resolution No. 23
through
House Resolution No. 25 - Representative Goodman
House Resolution No. 26 - Representative Willoughby, et al
House Resolution No. 27 - Representative Dethrow
House Resolution No. 28 - Representatives Donnelly and Green
House Resolution No. 29 - Representative Jetton
House Resolution No. 30 - Representative Crawford

HOUSE CONCURRENT RESOLUTION

Representative LeVota offered House Concurrent Resolution No. 6.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 7, introduced by Representatives Boykins, Johnson (61), Jones, El-Amin and Wilson (42), relating to the declaration of Delta Days in the state of Missouri.

HCR 8, introduced by Representatives Boykins, Walton, Haywood, Bland, Johnson (61), Jones, Curls, El-Amin, Sanders Brooks and Wilson (42), relating to a declaration of African American Business Enterprise Day in the state of Missouri.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 40, introduced by Representatives Crowell, Engler, Dusenberg, Townley, King, Sander, Munzlinger, Moore, Stevenson, Ervin, Baker, Stefanick, Yates, Phillips, Reinhart, Sutherland, Smith (14), Icet, Miller, Bivins, Hanaway and Shoemaker, relating to appropriations for public education.

HJR 41, introduced by Representatives Crowell, Townley, Stevenson, Ervin, Lipke, Reinhart, Sutherland, Shoemaker and King, relating to the state board of education.

HJR 42, introduced by Representatives Baker, Ervin, Crowell, Munzlinger, Phillips, Moore, Myers, Quinn, Emery, Dempsey and Sander, relating to the prohibition of same-sex marriage.

HJR 43, introduced by Representative Dougherty, relating to gaming.

HJR 44, introduced by Representatives Schoemehl, Bivins, Harris (23), Yaeger, Lembke, Sager, Cooper (155), Jolly, Riback Wilson (25), Walker, Skaggs, Wilson (42), Meiners, Willoughby and Walsh, relating to school district bond elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 968, introduced by Representatives Phillips, Myers, Moore, Reinhart, Ervin, Stevenson, Sander, El-Amin, Emery, Rector, Shoemaker, Dixon and Muckler, relating to temporary assistance for needy families.

HB 969, introduced by Representatives Cooper (120), Sutherland, Moore, Stevenson, Dempsey, Schaaf, Hobbs, Richard, Wilson (119), Kingery, Baker, Fares, Munzlinger, Brown, Deeken, Nieves, St. Onge, Rupp, Dusenber, Hanaway, Engler, Phillips, King, Ervin, Sander, Miller, Mayer, Parker, Dixon, Bivins, Wallace, Bearden, Icet, Schlottach, Crawford, Hunter, Viebrock and Smith (14), relating to Missouri taxable income of corporations.

HB 970, introduced by Representatives Portwood, Avery, Schoemehl, Spreng, Schaaf, Stefanick, Moore, Page, Wright, Quinn and Ruestman, relating to dentists and dental hygienists.

HB 971, introduced by Representatives Cooper (120) and Skaggs, relating to a private car ad valorem tax credit.

HB 972, introduced by Representatives Cooper (120), Engler, Moore, Jetton, Smith (118) and Quinn, relating to speed regulations for motor vehicles within counties.

HB 973, introduced by Representative Cooper (120), relating to environmental fees.

HB 974, introduced by Representative Dempsey, relating to the number of associate circuit judges.

HB 975, introduced by Representatives Johnson (47), Jolly and Campbell, relating to land trusts.

HB 976, introduced by Representatives Schlottach, Pearce and Graham, relating to disabled license plates.

HB 977, introduced by Representatives Schlottach and Sutherland, relating to special license plates.

HB 978, introduced by Representatives Baker, St. Onge, Skaggs, Jetton, Munzlinger, Sander, Phillips, Moore, Guest, Byrd, Crowell, Dusenber, Hanaway, Kelly (36), Angst, Yates, Stefanick,

Sutherland, Dempsey, Quinn, Cooper (120), Cunningham (145), Wallace, Ervin, Emery, Goodman, Portwood, Smith (118), Lipke, Schaaf, Behnen, Hunter, Rupp, Pearce, Nieves, Purgason, Jackson, Hobbs, Parker, Luetkemeyer, Cooper (155), Brown, McKenna, Pratt, Icet, Fares, Seigfreid and Dougherty, relating to small businesses.

HB 979, introduced by Representatives Lipke, Mayer, Goodman, Crowell, Sutherland, Nieves, Rupp, Threlkeld, Stefanick, Pratt, Yates, Munzlinger and Stevenson, relating to resisting or interfering with arrest.

HB 980, introduced by Representatives Myers, Munzlinger, Townley, Quinn, Luetkemeyer, Dethrow, Engler, Hunter and Emery, relating to environmental rules.

HB 981, introduced by Representatives Myers, Whorton and Quinn, relating to agricultural demonstration awards.

HB 982, introduced by Representatives Baker, Stevenson, Sander, Myers, Sager and Quinn, relating to compulsory school attendance.

HB 983, introduced by Representatives Baker and Sander, relating to possession or control of a controlled substance.

HB 984, introduced by Representatives Baker and Sander, relating to intoxicating liquor.

HB 985, introduced by Representatives Wood, Portwood, Behnen, Skaggs, Jetton, Kratky, Yaeger, Miller, Cunningham (145), Kuessner, Harris (110), Walsh, Vogt, Salva, LeVota, Spreng, Muckler, Dougherty, Schneider, Stevenson, St. Onge, Pearce and Baker, relating to real estate agents.

HB 986, introduced by Representatives Ward, Willoughby, Page, Jolly and Byrd, relating to electroconvulsive therapy.

HB 987, introduced by Representatives Ward and Page, relating to a prescription monitoring program.

HB 988, introduced by Representatives Yates, LeVota, Pratt, Dusenberg, Johnson (47), Meiners and Sager, relating to county political party committee representation.

HB 989, introduced by Representatives Barnitz and Kuessner, to authorize the conveyance of property owned by the state in the county of Dent to the city of Salem.

HB 990, introduced by Representatives Portwood, Avery, Smith (14), LeVota, Jones, Guest, Wallace, Yates, Rupp, Munzlinger, Lembke, Stefanick, Pratt, Cooper (120), Parker, Dempsey, Bean, Wright, Sander and Skaggs, relating to residential mortgage brokers.

HB 991, introduced by Representatives Haywood, Schoemehl, Burnett, Corcoran, Pearce, Nieves, Rupp and Hoskins, relating to police personnel records.

HB 992, introduced by Representative Haywood, relating to insurance.

HB 993, introduced by Representatives Dougherty and LeVota, relating to property assessments on homesteads.

HB 994, introduced by Representatives Cunningham (145), Wilson (119), Miller and Self, relating to court costs in the thirtieth judicial circuit.

HB 995, introduced by Representatives Dusenberg, Mayer, Goodman, Holand, Schlottach, May, Wallace and LeVota, relating to bumper height of motor vehicles.

HB 996, introduced by Representatives Dusenberg, Mayer, Goodman, Holand, Schlottach, May, Moore, Wallace, Munzlinger, Emery, Shoemyer, Wildberger, Kuessner, Kratky, Dethrow, Salva, McKenna, Hilgemann, Walsh, Dougherty, Henke, Smith (14), Crawford and Jones, relating to school bus inspections.

HB 997, introduced by Representative Muckler, relating to the Missouri homestead preservation act.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 5 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 27 through **HJR 39** were read the second time.

SECOND READING OF HOUSE BILLS

HB 762, **HB 764** through **HB 789**, **HB 791** through **HB 831**, and **HB 833** through **HB 967** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 5 - Rules

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 28 - Budget

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 916 - Crime Prevention and Public Safety

WITHDRAWAL OF HOUSE BILL

January 8, 2004

Steve Davis
Chief Clerk
State Capitol, Room 306C
Jefferson City, Missouri 65101

Dear Steve,

I would like permission to withdraw **House Bill 839** relating to victim notification.

If you have any questions, please call my office at 751-5226. Thank you.

Sincerely,

/s/ Danie Moore

ADJOURNMENT

On motion of Representative Wright, the House adjourned until 4:00 p.m, Monday, January 12, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Wednesday, January 7, 2004, Page 10, Line 25, by deleting the name “Muckler”.

Page 17, Line 9, by deleting the name “Muckler”.

Page 20, Line 27, by deleting the name “Davis (122)” and inserting in lieu thereof the name “Davis (19)”.

Page 20, Line 30, by deleting the name “Davis (122)” and inserting in lieu thereof the name “Davis (19)”.

Page 27, Lines 15 and 16, by deleting all of said lines and inserting in lieu thereof the following: “Representative Harris (110) has been appointed a member of the Conservation and Natural Resources Committee”.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 13, 2004, 8:00 a.m. Hearing Room 3.

Public testimony. Health, Mental Health and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 14, 2004, 8:00 a.m. Hearing Room 3.

Public testimony. Health, Mental Health and Social Services if needed.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 12, 2004, 1:45 p.m. Hearing Room 7.

State Agency tours.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 13, 2004, 3:00 p.m. Hearing Room 7.

State Agency tours.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 14, 2004, 3:00 p.m. Hearing Room 7.

Office of Administration, Department of Revenue

CRIME PREVENTION AND PUBLIC SAFETY

Monday, January 12, 2004, Afternoon adjournment. Hearing Room 3.

Executive Session may follow.

Public Hearing to be held on: HB 916

RULES

Tuesday, January 13, 2004, 2:00 p.m. Hearing Room 5

Public Hearing to be held on: HCR 5

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.

R. C. Wood & Associates.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.

Presentation by Dr. John Augenblick.

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 12, 2004

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 7 and HCR 8

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 40 through HJR 44

HOUSE BILLS FOR SECOND READING

HB 968 through HB 997

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 12, 2004

The House met pursuant to adjournment.

Representative Smith (118) in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, One from whom all blessings flow, it is written, "Blessed is the one who finds wisdom and the one who gains understanding." Even so, we seek wisdom and divine insight as we begin this week in Your service.

We are asking that You fill us with such wisdom and understanding that we might indeed fulfill Your purpose for this legislative session. We also pray that our outward lives, which men see, would bring credit to You, this state, our families and ourselves.

May we be balanced in our approach to our duties, make adjustments when necessary, and may the timing of our words be exact.

Now may the grace of our Lord and the love of God be with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as printed by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Hoskins
Hubbard	Hunter	Jetton	Johnson 47	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger

Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Boykins	Brooks	Carnahan	Darrough
Holand	Icet	Jackson	Johnson 61	Lawson
Schneider				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 31	-	Representative Sager
House Resolution No. 32	-	Representative Hanaway
House Resolution No. 33	-	Representative Mayer
House Resolution No. 34	-	Representative Bough
House Resolution No. 35	-	Representative Walker
House Resolution No. 36		
and		
House Resolution No. 37	-	Representative Munzlinger
House Resolution No. 38	-	Representative Hobbs
House Resolution No. 39		
and		
House Resolution No. 40	-	Representative Rector
House Resolution No. 41		
and		
House Resolution No. 42	-	Representative May
House Resolution No. 43		
and		
House Resolution No. 44	-	Representative Munzlinger
House Resolution No. 45	-	Representative Whorton
House Resolution No. 46	-	Representative Guest

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 45, introduced by Representatives Yates, Ervin, Pratt, Portwood, Guest, Wilson (130), Baker, Dusenberg, Stevenson, Lembke, Smith (118), Sander, Dougherty, Moore, Hobbs, Myers, Munzlinger and Phillips, relating to transportation revenues.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 998, introduced by Representative Sutherland, relating to eviction notice provisions for manufactured or mobile home land lease communities.

HB 999, introduced by Representative Salva, relating to uninsured motorists.

HB 1000, introduced by Representatives Crowell, Bearden, Baker, Dusenberg, Engler, Dixon, Angst, Townley, Myers, Sander, King, Moore, Stevenson, Lipke, Ervin, Davis (19), Cunningham (86), Stefanick, Reinhart, Yates, Lembke, Cunningham (145), Sutherland, Smith (14), Jetton, Icet, Miller, Bivins, Kelly (36), Hanaway, Shoemaker and Muckler, relating to public funds.

HB 1026, introduced by Representatives Henke, Dougherty and Salva, relating to drivers' licenses.

HB 1027, introduced by Representative Luetkemeyer, relating to health benefit plans.

HB 1028, introduced by Representative Pratt, relating to requirements for persons administering injections.

HB 1029, introduced by Representative Henke, relating to the designation of a memorial highway for veterans.

HB 1030, introduced by Representatives Zweifel, Bishop, Harris (23), Green, Darrough, Corcoran, Burnett and George, relating to injured railroad employees.

HB 1031, introduced by Representatives Jolly, Bishop, Willoughby and Skaggs, relating to labeling of kegs.

HB 1032, introduced by Representatives Cooper (120), Wilson (119), Reinhart, Luetkemeyer, Hanaway, Dusenberg, Muckler, Moore, Sutherland, Stefanick, Munzlinger, Ervin, Smith (118) and Hobbs, relating to adoption tax credits.

HB 1033, introduced by Representatives Viebrock, Dixon, Bough, Morris, Taylor, Marsh, Wood, Wright, Roark and Cunningham (145), relating to election of community college district boards of trustees.

HB 1034, introduced by Representatives Rector, Richard, Stevenson, Viebrock, Wasson, Wilson (130), Schlottach, Byrd, Bivins, Hunter, Quinn and Ruestman, relating to predetermination of prudence and ratemaking principles for infrastructure investments by utilities.

HB 1035, introduced by Representatives Rector, Stevenson, Richard, Viebrock, Wasson, Wilson (130), Schlottach, Hunter, Bivins, Quinn, Wood, Emery and Ruestman, relating to recovery of costs by electrical corporations.

HB 1036, introduced by Representatives Yates, Morris, Sutherland, Engler, Baker, Dusenberg, Moore, Stevenson, Munzlinger, Crowell, Pratt, Smith (118), Hampton, Sander, Hobbs, Dougherty, Myers, Smith (14), Portwood and Goodman, relating to sovereign immunity for school districts.

HB 1037, introduced by Representatives Yates, Johnson (47), Cooper (155), Morris, Stevenson, Moore, Dusenberg, Sander, Baker, Ervin, Pearce, Smith (118), Hobbs and Pratt, relating to the Dental Carve-Out Act of 2004.

HB 1038, introduced by Representatives Yates, Sander, Stevenson, Dusenberg, Hobbs, Pratt, Ruestman and Pearce, relating to drivers' and commercial drivers' licenses.

HB 1039, introduced by Representatives Yates, Hobbs, Dusenberg, Stevenson, Pearce, Munzlinger, Wilson (130), Pratt, Sander, Engler, Ruestman, Byrd, Johnson (47), Smith (14), Avery and Richard, relating to campaign finance disclosure reports.

HB 1040, introduced by Representatives Cunningham (86), Baker, Nieves, Sander, Lembke, Brown, Munzlinger, Bivins, Reinhart, Dixon, Morris, Fares, Guest, Ruestman, Moore, Stevenson, Cooper (155), Luetkemeyer, Bearden, Bean, Quinn, Phillips, Bruns, Villa, Hanaway, Jetton, Haywood, Portwood and Hunter, relating to education accountability.

HB 1041, introduced by Representatives Cunningham (86), Baker, Lembke, Sander, Morris, Dempsey, Nieves, Reinhart, Ervin, Guest, Lipke, Bivins, Rupp, Moore, Dethrow, Threlkeld, Dixon, Luetkemeyer, Fares, Stevenson, Ruestman, Schaaf, Cooper (155), Bearden, Munzlinger, Bean, Quinn, Phillips, Bruns, Villa, Hanaway, Jetton, Wallace, Walton, Haywood, Portwood and Hunter, relating to school personnel.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 7 and **HCR 8** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 40 through **HJR 44** were read the second time.

SECOND READING OF HOUSE BILLS

HB 968 through **HB 997** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 898 - Senior Security

HB 969 - Tax Policy

COMMITTEE REPORT

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 916**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 916, Page 2, Section 570.223.5, Line 51, by deleting the words “prevailing party” and inserting in lieu thereof the word “**plaintiff**”; and

Further amend said bill, Page 3, Section 570.223.7, Line 59, by deleting the word “three” and inserting in lieu thereof the word “**five**”.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 3**.

WITHDRAWAL OF HOUSE BILL

January 12, 2004

Mr. Stephen Davis
Chief Clerk - House of Representatives
Room 306C - State Capitol Building

Dear Mr. Davis:

I respectfully request to withdraw **House Bill 992** that I filed last Thursday, January 8, 2004.

Thanking you in advance for your time and consideration, I remain.

Sincerely yours,

/s/ Esther Hill Haywood
State Representative
District 71

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, January 13, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, January 13, 2004, 12:00 p.m. Hearing Room 1.
Presentation by Department of Agriculture Director and Division Directors.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 13, 2004, 3:00 p.m. Hearing Room 7.
State agency tours.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 14, 2004, 3:00 p.m. Hearing Room 7.
Office of Administration and Department of Revenue

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, January 13, 2004, 8:00 a.m. Hearing Room 3.
Public testimony.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 14, 2004, 8:00 a.m. Hearing Room 3.
CANCELED.

BUDGET

Wednesday, January 14, 2004, 8:00 a.m. Hearing Room 3.
Organizational meeting. Meeting may continue upon morning adjournment.

HOMELAND SECURITY AND VETERANS AFFAIRS

Wednesday, January 14, 2004, 5:30 p.m. Senate Lounge.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Tuesday, January 13, 2004, 9:30 a.m. Senate Lounge.
Election of Chair and other administrative issues.

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.

JUDICIARY

Wednesday, January 14, 2004, 1:00 p.m. Hearing Room 1.

General organization. Report on Joint Interim Committee on Judicial Resources.

RULES

Tuesday, January 13, 2004, 2:00 p.m. Hearing Room 5

HCR 5 - Executive Session may follow - AMENDED.

TAX POLICY

Tuesday, January 13, 2004, 4:00 p.m. Hearing Room 1.

HB 969 - Executive Session may follow - AMENDED.

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 13, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 45

HOUSE BILLS FOR SECOND READING

1 HB 998 through HB 1000

2 HB 1026 through HB 1041

HOUSE BILL FOR PERFECTION

HB 916, HCA 1 - Brown (30)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 13, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

We praise You, O Lord our God, who created the sun to rule the day and the moon to rule the night. We thank You for this morning's shining sun, which stirs hope in us.

We are, indeed, back to work, finishing today, one calendar week of the 2004 session of the Missouri House of Representatives.

Lord, may Your gentle grace guide our minds and wills to speak and act for our constituents, that we might truly represent them. In our own lives and about life in the districts we serve, give us discernment between needs and wants, between the issues that merit top priority or lesser attention.

At the same time, may Your Holy Spirit give us the vision and the courage to see and seek the common good.

During our work this day, may we grow in knowledge of what is just and true in the various topics placed before us.

We give thanks for the great trust placed in us by the people of our district, and we give thanks to You for guiding the course of our lives to the dignity and honor of serving the people as their representatives.

We give You thanks and pray to You at this hour, because You are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the third day was approved as corrected by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Hoskins

Hubbard	Hunter	Ice	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 002

Sager Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Boykins	Carnahan	Darrough	Graham
Holand	Jackson	Johnson 61	Lawson	

VACANCIES: 001

SPECIAL RECOGNITION

The Centralia R-VI High School Football Team, 2003 Missouri State Division II Champions, were introduced and recognized as Outstanding Missourians by Representative Hobbs and Representative Shoemyer.

Representative Johnson (47) assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 47	-	Representative Bean
House Resolution No. 48	-	Representative Goodman
House Resolution No. 49		
and		
House Resolution No. 50	-	Representatives Yaeger, Lembke and Vogt
House Resolution No. 51	-	Representative Parker
House Resolution No. 52	-	Representative Wildberger
House Resolution No. 53	-	Representative Ruestman
House Resolution No. 54	-	Representative May

House Resolution No. 55 - Representative Icet
House Resolution No. 56 - Representative Cunningham (145)

HOUSE CONCURRENT RESOLUTION

Representative Parker offered House Concurrent Resolution No. 9.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1042, introduced by Representative Cunningham (145), relating to enterprise zones.

HB 1043, introduced by Representative Behnen, relating to nursing home administrators.

HB 1044, introduced by Representative Behnen, relating to licensure and regulation of pharmacists, pharmacies, drug distributors, and related pharmaceutical services and personnel.

HB 1045, introduced by Representatives Cooper (120) and Pearce, relating to landfill fees.

HB 1046, introduced by Representatives Meiners, Vogt, Walker, Curls, Skaggs, Muckler and Walsh, relating to a tax on adult entertainment products and services.

HB 1047, introduced by Representatives Guest and Bivins, relating to salary of council members in certain cities.

HB 1048, introduced by Representatives Parker, McKenna, Dempsey, Abel, Wilson (42), Bearden, Shoemyer, Cunningham (86) and Davis (122), relating to appropriations for community college district maintenance funds.

HB 1049, introduced by Representatives Cooper (155), Luetkemeyer, Reinhart, Shoemaker, Ruestman, Hampton, Kratky, Stevenson and Kuessner, relating to watercraft regulation.

HB 1050, introduced by Representatives McKenna, Reinhart, Dusenberg, Mayer, Holand, LeVota, Hilgemann, Dougherty, Wildberger, Wagner, Walsh, Salva, Davis (122), Johnson (90), Selby and Threlkeld, relating to commercial motor vehicles.

HB 1051, introduced by Representative Luetkemeyer, relating to property and casualty insurance guaranty associations.

HB 1052, introduced by Representatives Engler, Byrd, Moore, Dusenberg, Page, Quinn, Reinhart, Whorton, Munzlinger, Hobbs, Jetton, Mayer and Ruestman, relating to changing traffic lights.

HB 1053, introduced by Representatives Phillips, Dixon, Sutherland, Pearce, Ervin, Ruestman, Brown, Witte, Dusenberg, Quinn, Stevenson, Engler, Icet, Rector and Meiners, relating to sexual offenders.

HB 1054, introduced by Representatives Whorton and Wallace, relating to the state highways and transportation commission.

HB 1055, introduced by Representatives Bruns, Deeken, Ervin, Bivins, Engler, Rupp, Brown, Davis (19), Stevenson, Stefanick, Ruestman, Sutherland, Hobbs, Kelly (144), Bough, Wildberger, McKenna, Smith (14) and Reinhart, relating to possession of child pornography.

HB 1056, introduced by Representatives Bishop, Marsh and Dempsey, relating to unmarked burial remains.

HB 1057, introduced by Representatives Goodman, Stevenson, Ruestman, Munzlinger, Dixon, Viebrock and Selby, relating to drivers' licenses.

HB 1058, introduced by Representatives Goodman, Guest, Pearce, Stevenson, Ruestman, Morris, Myers, Viebrock, Selby and Daus, relating to remedies for tenant default on utility and rent payments.

HB 1059, introduced by Representatives Goodman, Stevenson, Munzlinger, Myers, Dixon, Viebrock and Selby, relating to alimony and maintenance.

HB 1060, introduced by Representatives Goodman, Stevenson, Ruestman, Munzlinger, Myers, Dixon, Willoughby, Viebrock and Selby, relating to mobile infrared transmitters.

HB 1061, introduced by Representatives Crawford, Quinn, Seigfreid, Shoemyer, Moore, Witte, Davis (122), Deeken, Bruns, Smith (118), Lowe, Ward, Stevenson, Haywood, Hobbs, Abel, Riback Wilson (25), Zweifel, Kratky, LeVota, Wildberger, Engler, Parker, Harris (23), Harris (110), Guest and Munzlinger, relating to state employees' pay.

HB 1062, introduced by Representatives Crawford and Green, relating to licensing of street rods and custom vehicles.

HB 1063, introduced by Representatives Hampton, Green and Kuessner, relating to the Missouri state water patrol.

HB 1064, introduced by Representatives Sander, Myers, Moore, Munzlinger and Dixon, relating to exemptions from attachment and execution.

HB 1065, introduced by Representatives Baker, Davis (122) and Rector, relating to surcharges in criminal cases.

HB 1066, introduced by Representatives Baker and Davis (122), relating to surcharges in civil cases.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 45 was read the second time.

SECOND READING OF HOUSE BILLS

HB 998 through **HB 1000**, and **HB 1026** through **HB 1041** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1040 - Education

HB 1041 - Education

COMMITTEE REPORTS

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 5

An act by concurrent resolution and pursuant to Article IV, Section 8, to disapprove the final order of rulemaking for the proposed amendment to 1 CSR 10-4.010 relating to State of Missouri Vendor Payroll Deductions, with an emergency clause..

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the Office of Administration filed proposed amendment for 1 CSR 10-4.010 on August 15, 2003, and filed the order of rulemaking with the Joint Committee on Administrative Rules on November 14, 2003; and

WHEREAS, the Joint Committee on Administrative Rules held a hearing on December 8, 2003, and has found the rule lacking in compliance with the provisions of Chapter 536, RSMo, in that the rule either lacked statutory authority in violation of section 536.014, RSMo, or had an inaccurate fiscal note regarding costs to private persons in violation of section 536.205, RSMo;

NOW, THEREFORE, BE IT RESOLVED the General Assembly finds that the office of administration has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of section 536.014, RSMo, or 536.205, RSMo; and

BE IT FURTHER RESOLVED that the Ninety-second General Assembly, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed amendment to 1 CSR 10-4.010, State of Missouri Vendor Payroll Deductions; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed amendment to 1 CSR 10-4.010, upon this resolution having been signed by the Governor

or having been approved by two-thirds of each house of the Ninety-second General Assembly, Second Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that a properly inscribed copy be presented to the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 969**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following escort committee to act with a like committee from the House pursuant to **HCR 1**: Senators Bartle, Bland, Gibbons, Goode, Jacob, Kennedy, Kinder, Loudon, Wheeler and Yeckel.

COMMUNICATION

January 8, 2004

Steve Davis, Chief Clerk
Missouri House of Representatives
The State Capitol
Jefferson City, Missouri 65101

Dear Mr. Clerk:

Per RSMo 105.461 and 105.456, I am informing you that my husband, Scott Taylor, is serving on the Re-Discover Mental Health and Substance Abuse Service Board.

Please contact me if you have any questions.

Very truly yours,

/s/ Cathy Jolly

WITHDRAWAL OF HOUSE BILLS

January 13, 2004

Mr. Steve Davis:

I request the withdrawal of **House Bills 1034** and **1035**. I will be refiling these bills at a later date.

Sincerely,

/s/ Rep. Rex Rector

The following members' presence was noted: Boykins and Graham.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, January 14, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Monday, January 12, 2004, Page 42, Lines 19-22, by deleting all of said lines and inserting in lieu thereof the following: “**HB 1040**, introduced by Representatives Cunningham (86), Baker, Nieves, Sander, Lembke, Brown, Munzlinger, Bivins, Reinhart, Dixon, Morris, Guest, Moore, Stevenson, Cooper (155), Luetkemeyer, Bearden, Quinn, Phillips, Bruns, Villa, Hanaway, Jetton, Haywood, Portwood, Kingery, Shoemaker, Icet, Deeken, Ervin and Hunter, relating to education accountability.”

Page 42, Lines 23-27, by deleting all of said lines and inserting in lieu thereof the following: “**HB 1041**, introduced by Representatives Cunningham (86), Baker, Lembke, Sander, Morris, Dempsey, Nieves, Reinhart, Ervin, Guest, Lipke, Bivins, Rupp, Moore, Dethrow, Threlkeld, Dixon, Luetkemeyer, Stevenson, Schaaf, Cooper (155), Bearden, Munzlinger, Bean, Quinn, Phillips, Bruns, Villa, Hanaway, Jetton, Wallace, Walton, Haywood, Portwood, Kingery, Shoemaker, Deeken, Icet and Hunter, relating to school personnel.”

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, January 15, 2004, 9:00 a.m. Room 414, Rep. Miller's office.
Committee Resolution #9. Executive Session may follow.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 14, 2004, 3:00 p.m. Hearing Room 7. AMENDED.
Testimony from: Joint Committee on Judicial Oversight, Legislative Oversight, MCHCP.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 14, 2004, 8:00 a.m. Hearing Room 3.
Public testimony. Health, Mental Health and Social Services if needed. CANCELED.

BUDGET

Wednesday, January 14, 2004, 8:00 a.m. Hearing Room 3.
Organizational meeting. Meeting may continue upon morning adjournment.

EDUCATION

Wednesday, January 14, 2004, 5:00 p.m. Hearing Room 3.
HB 1040 and HB 1041, Executive Session may follow.

EDUCATION

Thursday, January 15, 2004, 8:00 a.m. Hearing Room 3.
HB 1040 and HB 1041, Executive Session may follow.

HOMELAND SECURITY AND VETERANS AFFAIRS

Wednesday, January 14, 2004, 5:30 p.m. Senate Lounge.

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, January 22, 2004, upon morning adjournment. Hearing Room 1.

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.
R.C. Wood & Associates.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.
Presentation by Dr. John Augenblick.

JUDICIARY

Wednesday, January 14, 2004, 1:00 p.m. Hearing Room 1.
General organization. Report on Joint Interim Committee on Judicial Resources.

RULES

Wednesday, January 14, 2004, 10:00 a.m. Hearing Room 6. CANCELED.

SENIOR SECURITY

Tuesday, January 20, 2004, 5:00 p.m. Hearing Room 6.
HB 898.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 14, 2004

HOUSE BILLS FOR SECOND READING

HB 1042 through HB 1066

HOUSE BILLS FOR PERFECTION

- 1 HB 916, HCA 1 - Brown (30)
- 2 HB 969 - Cooper (120)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 5, (1-13-04), E.C. - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 14, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we humbly approach You today on the basis of Your word that instructs us, "Do not withhold good from those to whom it is due, when it is in your power to do it." Help us to render what is proper and good to the people we are elected to serve for they are due it.

May we not devise harm against or contend with one another without cause, but may we function and work together for the common good.

We are positioned to make a difference and we will.

May You also continue to hold our families in Your hands and near Your heart as we serve apart from them.

Now may the grace of our Lord and the love of God be with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brian P. Bettonville, Christopher F. Jackson, Allyson L. Fuchs and Jessica L. Fry.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jetton	Johnson 47	Johnson 90	Jolly

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Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Carnahan	Cunningham 86	Jackson	Johnson 61
Purgason				

VACANCIES: 001

MOTION

Representative Crowell moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Davis 122	Davis 19
Decken	Dempsey	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jetton
Johnson 47	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore

Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Behnen	Carnahan	Daus	Dixon
Jackson	Johnson 61	Wasson	Yates	

VACANCIES: 001

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has replaced himself with Senator Gross on the escort committee to act with a like committee from the House pursuant to **HCR 1**.

ESCORT COMMITTEE

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the dais: Representatives King, Black, Myers, Phillips, Rector, Willoughby, Graham, Seigfreid and Shoemyer.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Maxwell, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Bartle	Bland	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens	Coleman
Days	Dougherty	Foster	Gibbons	Goode
Griesheimer	Gross	Jacob	Kennedy	Klindt

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Loudon	Mathewson	Nodler	Russell	Scott
Shields	Steelman	Stoll	Vogel	Wheeler
Yeckel				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Dolan	Kinder	Quick
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The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 47	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery

Carnahan

Jackson

Johnson 61

Smith 118

VACANCIES: 001

The Speaker appointed the following committee to escort the Honorable Ronnie L. White, Chief Justice of the Missouri Supreme Court to the dais: Representatives Townley, Miller, Reinhart, Crawford, Holand, Purgason, Witte, Bland, Jolly and Bringer.

The Doorkeeper announced the approach of the Honorable Ronnie L. White, Chief Justice of the Missouri Supreme Court. Chief Justice White was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

By

Chief Justice Ronnie White

January 14, 2004

President Maxwell, Speaker Hanaway, distinguished members of the Senate and House of Representatives, honorable statewide elected officials, esteemed colleagues of the Court, and honored guests –

You know, it is indeed a pleasure to be here with you this morning. As I walked through the doors back there, I thought of how amazing this is, after having served in this body.

I want to take a minute and thank Speaker Hanaway for attending the kick-off celebration for Martin Luther King, Jr., in St. Louis on Saturday night at Harris-Stowe State College. The people there were very, very proud and pleased to see her and the bipartisan delegation of house members who were also with her.

I'd also like to take a moment and introduce two people who have been with me since the beginning – my wife, Sylvia ... and our son, Ronnie II.

I come before you today as Chief Justice to perform the traditional duty of sharing with you the state of our judiciary. I remember the first time I came into this chamber almost 15 years ago as a newly elected representative. It is reassuring as I stand before you today to see some familiar faces from that very first day.

Senator Maida Coleman from St. Louis was one of the people who helped me to get here. When I was running for elective office in 1989 and going door to door in my district, I happened to stop by Senator Coleman's house. You could not imagine what I got when I knocked on the door. She began to tell me all the things I needed to do when I got elected, so I thought about it and I said, "Well, why don't you come out of the house and help me do it?" And look at where she is today! And I want to say to you, Senator Coleman, I am very proud of you and pleased to be your friend.

And after Senator Coleman helped me to get here, one of the first people I met was Senator Mary Bland from Kansas City. In fact, during my time in the House, I was her seatmate, and sometimes after some bruising committee battles and deep debates, I would come back to my chair and sit down, and Senator Bland would say, "Representative White, I'm praying for you." Well as I stand before you today, I want to say to you, Senator, your prayers have been answered. And she would also follow up and say, "You're going to be all right." Well, after 15 years, a lot of time has passed and things have happened, I want to say to you, Senator Bland, I am all right.

While tradition and duty require me to speak to you today, a much more immediate duty compels continued communication with each other throughout the rest of this year. As someone who once served in this very room, I empathize with you as you face yet another historically challenging year. It is no secret that painstaking choices will have to be made – funding our public schools, helping children in our foster care system, dealing with the state's budget

difficulties. Our charge, then, is to work together wherever we can so that those hard choices are made in the most informed and cooperative environment possible.

Last session, the judiciary offered leadership and solutions when it was required of us, and we offered information and cooperation when leadership was required of you. This cooperation between our branches of government made possible the important work of the Commission on Children's Justice. This same cooperation produced a judiciary budget that sustained difficult cuts but still preserved the judicial branch's ability to fulfill its essential role for the citizens of this state.

In addition, we collaborated with you to find places where our effectiveness could be improved. Even before the passage of House Bill 600, the judicial branch was generating \$370 million in positive economic impact each year. I'm not talking about lawsuits here – I'm talking about the court costs, fines, fees and restitution that the courts collect for the state and its citizens. Through the passage of HB 600, we advocated and you adopted changes that will allow us to collect outstanding court costs and fines more efficiently at no cost to taxpayers other than that necessary to operate the judicial branch of government. While this money alone will not alleviate the state's financial situation, it provides a small measure of relief to some, particularly school districts – and it sends an important message about justice to those who believe they can utilize the service of justice and violate our laws without paying.

But this is just one example of what we can achieve when we work together. We must continue in this spirit of mutual cooperation for this year and for years to come – no matter who may come and go from the office of Judge, Senator, or Representative.

In that spirit of cooperation, then, let me relate to you where the judicial branch stands now, and where, with your help, we hope to be in years to come. As I stated at our annual Bar meeting in October, I have a firm commitment to doing whatever I can to promote a more professional, diverse and technologically integrated future for the justice community in this state. Let me also reaffirm our commitment to saving money where we can and working with you to make our judiciary a more efficient one.

At the outset, I want to thank all those people who make our efficiency possible – our employees. We all know that it is the employees across this state who provide direct services to the citizens every day and who are the face of Missouri state government. And with the budget constraints over the past several years, many of these employees are bringing less money home to their families now than they were four or five years ago. I request, therefore, that you give these people every due consideration even in the face of the current fiscal problems. For if we cannot keep our best and brightest state employees, we all suffer.

Now, as to the issue of professionalism, let me say that it is an honor to serve as Chief Justice with such distinguished colleagues. For many years and through many different judges, we at the Court have attempted to create an environment that is collegial, not combative – and always dedicated to preserving the integrity of the law. While our opinions differ on occasion – although not nearly as frequently as one might think – we always seek to ensure that the time-honored processes by which we make our decisions remain intact.

At least to some extent, I believe we owe this high quality of my colleagues on the Supreme Court – regardless of the political affiliation of the governor who appointed them – to a nonpartisan court plan that for more than 60 years has made our state an example to the nation.

Missouri itself has changed drastically since its voters first adopted the nonpartisan plan in 1940. Counties that were once considered rural are now so large in population that they rival even our largest cities, and the needs of their courts have become more complex. In addition, as election costs inevitably rise, unforeseen pressures are placed on members of the judiciary as well as on those who seek to replace them. In even the best of scenarios, the appearance of the intrusion of politics – and money – into the judicial process becomes difficult to avoid.

For these reasons, I announced my intention last July to discuss the expansion of the nonpartisan court plan into Greene, Jefferson and St. Charles Counties, the three next largest counties that do not already operate under the plan. In my discussions with local bar associations, I have made it clear that, whatever we do, we must do in full cooperation with the circuits – and more importantly the people – because it is pointless to proceed if the citizens in those areas do

not want change. However, we should at least be open to discussing and determining whether current systems continue to meet our constantly evolving needs and to do so in an atmosphere of civility and respect. Our talks so far have been well received, and I believe that many who originally had misgivings about the plan have begun to think positively about its potential value. In fact, the Springfield Metropolitan Bar Association voted 2-1 to support the nonpartisan plan in Greene County, and discussions are underway in St. Charles County. I hope to speak with the Jefferson County Bar Association in the near future.

Ultimately, these decisions must be made locally. And let me be clear – we are not asking the general assembly in any way to expand the nonpartisan plan. Even I seek only to act as a conduit for discussion. I realize that many of you in this room may have misgivings about my proposal, and reasonable minds can certainly differ on this issue. I therefore welcome your input and offer to conduct a legislative forum so you can discuss your positions – positive or negative – and your important voices can be heard on this issue.

In addition to serving as a facilitator for public discussions about the nonpartisan court plan, the judicial branch must also review its own internal court policies to seek out ways in which we can improve professionalism. Our judicial committees and bar committees remain dedicated to this very cause. As one excellent example of such a review, last fall the Supreme Court Family Court Committee completed the *Missouri Resource Guide for Best Practices in Child Abuse and Neglect Cases*. Nearly a thousand professionals in the juvenile justice field – including every single member of the judicial branch who is assigned to work on juvenile cases – attended cross-training in these best practices.

I hope that, through efforts such as these, you will continue to see the judiciary as a willing partner for positive change. Our doors remain open – your ideas are welcome, and we hope that you work with us as we strive to create the judicial system of the future.

There are many ways in which our present system demonstrates our promising future. Our internationally award-winning efforts to use advanced technologies in the courts have done much to improve judicial services, and technology holds the promise of even greater returns if we can capitalize on this investment.

I realize that many of my predecessors have discussed this program with you, but for me it retains personal importance. In 1993, when I was still in the state legislature, I sponsored House Bill 681 – the first bill seeking to automate our state courts. Although not many seemed to share this vision at the time, I realized then that the future of Missouri courts would lie in their ability to embrace technology in their efforts to provide service, justice and access to the citizens of this state.

Well, now the "future" is here. We all realize that advanced technology is an absolute business necessity, not a hypothetical dream or automation project. The state has an automated payroll system and automated driving records, law enforcement has the automated Missouri Uniform Law Enforcement System, and you here in the legislature have automated drafting, filing and tracking of bills and amendments. Similarly, for our judicial branch to remain able to provide exceptional service to the public effectively, we must continue to scrape our way into the 21st century by finding a way to afford those technological tools essential to an effective judicial system.

I thank each of you for recognizing this need last session through the passage of Senate Bill 448. With the leadership of Senator Matt Bartle and Representative Richard Byrd, we were able to extend the court automation fee until 2009, preserving a valuable business tool for the operation of court technology. I want to publicly extend my thanks to them and to all of you who continue to support this vitally important effort.

Although there is still much to be done, there is much that is already working well. The state's online case information system, Case.net, and case management program, Justice Information System – commonly known as JIS – are improving the business of our courts in many ways that may not be obvious to the casual observer but that would be noticeable immediately if they were no longer present.

For example, the general assembly relies on the judicial branch to collect all the fees that fund many worthy causes across the state – including the traffic fines that support our local schools and the crime victims' compensation fund. For courts using JIS, it took only a flip of the switch to begin collecting, tracking and distributing the new costs quickly and efficiently. It is not as easy for the 40 other counties that do not yet have JIS due largely to budget constraints. And for

some of those courts, can you believe that their clerk staff had to manage the six new fees created last session manually by adding six new envelopes to the pegboard?

Just imagine how your day-to-day business in this building would be different if you still had to rely on typewriters and carbon copies to circulate amendments to your legislative packages. I'm sure your staff would be horrified by the very thought! Consider this: we still have areas in this state where the courts account for hundreds of thousands – if not millions – of dollars using manual accounting systems. We cannot continue to move some 800,000 new cases and account for some \$370 million annually when some courts still are using systems that were designed in the 1950s.

But technology is not just about making us more efficient at our jobs. With that efficiency also comes significant cost savings and the ability to generate revenue. For example, a study we recently conducted in three counties identified a total of \$2.3 million in costs and fines that litigants have failed to pay – money we now can collect under HB 600 – at least in those counties that have JIS. If that is what we can do in just three counties, imagine the millions of dollars the judicial branch may be able to collect statewide. I must emphasize that this effort, along with others, seeks to go after those who fail to pay their obligations. While to some extent it is about money, more importantly it is about the enforcement of court orders and accountability to the laws you pass.

Judicial technology is also about facilitating the provision of immediate services to children and others at risk, ensuring an efficient investment of time and resources into each case, eliminating duplicate paperwork ... and saving the state even more money. I hope you will continue to support this important investment of judicial technology.

Of course, the system is capable of providing many more benefits, but fiscal prudence mandates that we be creative in discovering new ways to bring more counties into the information age. For example, although no new state dollars were available, the Jackson County Circuit Court determined that JIS was vital enough to its business needs that it was able to implement the system without the state spending any significant dollars toward that effort.

We will, of course, continue to explore any option that allows us to move forward with technology, which is vital not only to the judicial branch but also to the interests of accountability to the laws you pass, to the interests of public safety, and to the interests of those who use our courts every day. This is why it is so important that, even in these challenging times, we all remain committed to doing what works and to changing what needs to be fixed. I look forward to working with you to ensure a bright technological future for the judicial system in Missouri.

While we look to the future in court technology, we also must look to the future of the people who practice law in this state. To do that, we must make every effort to improve racial and gender diversity. Our legal community should strive to be as diverse as the people who live in this great state, because equal access to justice can only be realized fully when there is equal opportunity for **all** to serve in our system of justice. When people come to our courthouses, they need to see that other people just like them have every opportunity to thrive in the Judiciary as a workplace. They need to feel vested in, rather than controlled by, our system of justice.

I think at times we take much for granted in this great country – particularly in relation to our government and its institutions. It has become all too commonplace today to engage in rhetoric that does not challenge us to be better. Unlike virtually any other country in the world, this is our government, yours and mine. The American justice system remains a beacon to the world in spite of its failings, perceived and real. It is a beacon because we, the citizens of this great country, have a vested interest in that system as our system of justice. For people to obtain justice, people must see that equal access to justice is more than just a vision ... they must see it as a reality.

So how does the judicial branch achieve this goal in concrete ways that can be implemented feasibly? First, through the Missouri plan, we must diversify our selection panels so that both selectors and those selected represent a wide cross-section of the citizenry. Without diversifying the ranks of those who aspire to become trial judges and appellate judges, we will struggle to develop the array of applicants we seek.

I believe it is clear that diversity must begin at the very earliest levels, from pre-law and paralegal programs to law school to entry-level positions throughout the legal community ... and perhaps even earlier than that ... so that in the future, diversity does not require effort but rather takes place as a matter of course in a profession where all facets of society are represented.

Already, progress has been made on this front, as my own experience illustrates. I can remember attending my first appellate section meeting at the 1994 judicial conference. I was the only African-American in attendance. That is because, of the 39 appellate judges in the state at that time, I was the only African-American judge among them, and there were only three women on the appellate court then. But time has passed, and the diversity of the appellate bench is getting better. I am now on the Supreme Court, and we have four African-American judges on the Court of Appeals, plus a total of nine women on the appellate bench, including my colleague at the Supreme Court, Laura Stith. We also have the first Jewish judge to serve on the Supreme Court, my friend Rick Teitelman.

However, this progress does not mean that the judicial branch is where it needs to be. So I invite you to help us in any way you can. Encourage the women and minorities in your constituencies to consider the law as a career whenever you can. Foster in them an interest in the legal system of this great state. Help us end this discussion by making Missouri a nationwide example of a diverse, innovative legal community – a legacy of which we can all be proud.

I truly believe the future of our entire judiciary can be bright for all – but only if we work with you to create it in the present. We remain willing to do our part, to lead when needed, and to aid you in implementing change when you seek it from us. We welcome the discussions brought forth by the Interim Committee on Judicial Resources, and we look forward to working with all parties in the interest of creating a more efficient, modernized judiciary in this session and in sessions to come. We continue to look for savings where we can, and we ask, out of respect for our different but co-equal responsibilities under the constitution, that we work together to find these savings. It is the responsibility of both the judiciary and the legislature to preserve essential judicial functions and maintain the effectiveness of the third branch of government.

In conclusion, we remain committed to providing greater service, access and justice throughout the state. In partnership with each of you, I am certain that our commitment will be fulfilled. Thank you for listening.

The Joint Session was dissolved by Senator Gibbons.

Speaker Hanaway resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 57	-	Representative Dethrow
House Resolution No. 58	-	Representative Hanaway
House Resolution No. 59	-	Representative LeVota
House Resolution No. 60		
and		
House Resolution No. 61	-	Representative Baker
House Resolution No. 62	-	Representative Richard
House Resolution No. 63	-	Representative Dixon
House Resolution No. 64		
and		
House Resolution No. 65	-	Representative Lager
House Resolution No. 66	-	Representative Hobbs
House Resolution No. 67	-	Representative Bough
House Resolution No. 68	-	Representative Wilson (119)
House Resolution No. 69	-	Representative Sander
House Resolution No. 70	-	Representative Shoemyer

HOUSE CONCURRENT RESOLUTION

Representative Myers offered House Concurrent Resolution No. 10.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1067, introduced by Representatives Skaggs, LeVota, Meiners, Campbell, Lowe, Walker, Barnitz, Jolly, Willoughby, Witte, Wildberger, Deeken, Bishop, Byrd, Engler, Baker, Brown, Dusenberg, Yates and Pratt, relating to personal property tax bills.

HB 1068, introduced by Representatives Harris (23), Abel, Johnson (90), LeVota, Jones, Skaggs, Kuessner and Villa, relating to state procurement.

HB 1069, introduced by Representatives Bivins, Villa, Muckler and Jackson, relating to police relief and pension systems.

HB 1070, introduced by Representatives Miller, Wagner, Smith (14), Wallace, Byrd, Richard, Myers, Wilson (119), Whorton, Quinn, Wood, Willoughby, Hobbs, Dixon, Moore, Sander, Wilson (130), Ruestman, Hampton, Cunningham (145), Munzlinger and Reinhart, relating to emergency preparedness plans for schools.

HB 1071, introduced by Representative Goodman, to authorize the governor to convey a tract of land owned by the state to Pierce City.

HB 1072, introduced by Representatives Jetton, Fraser, Bishop and Walker, relating to shipwreck site protection.

HB 1073, introduced by Representatives Engler, Nieves, Goodman, Mayer, Hampton, Bivins, Bruns, Richard, Ruestman, Kuessner, Skaggs, Smith (14) and Kratky, relating to distribution and possession of prescription medication in schools.

HB 1074, introduced by Representatives Byrd, Hanaway, Walton, Willoughby, Pratt, Burnett, Fares, Parker, Hubbard, Stefanick, Ruestman, Whorton, Wilson (42), Vogt, Schaaf, Skaggs, Deeken, Engler, Crawford, Munzlinger, Richard, Luetkemeyer, Black, Cunningham (86), Jetton, Moore, Graham, Bearden, Bivins, Townley, Dempsey, Cooper (120), Thompson, Hoskins, Jolly, Bland, Jones and Sanders Brooks, relating to cross burning.

HB 1075, introduced by Representatives Stevenson, Wilson (130), Icet and Jolly, relating to confinement of persons without process.

HB 1076, introduced by Representatives Stevenson and Myers, relating to eligibility for state aid.

HB 1077, introduced by Representatives Stevenson, Lipke, Hanaway, Pearce, Schneider, Smith (118), Crowell, Rector, Hobbs, Wilson (130), Munzlinger, Bearden, Kingery, Townley, Goodman, Bean, Engler, Hunter, Myers, Baker, Sutherland, May, Byrd, Deeken, Luetkemeyer, Cooper (155), Lembke, Quinn, Wood, Reinhart, Bough, Threlkeld, Phillips and Shoemaker, for the sole purpose of repealing certain expired, sunset, terminated, and ineffective statutory provisions.

HB 1078, introduced by Representatives Stevenson, Baker and Myers, relating to juveniles.

HB 1079, introduced by Representatives Rector, Davis (122) and Baker, relating to imposition of civil fines by certain counties.

HB 1080, introduced by Representatives Pratt, Johnson (47), Moore, Schlottach, Dougherty, Carnahan, Cooper (120), Parker, Yates, Dusenberg, Crawford and Skaggs, relating to right-of-way at intersections.

HB 1081, introduced by Representatives Lowe, Reinhart, Riback Wilson (25), Campbell, Bishop and Skaggs, relating to the duties of the board of probation and parole.

HB 1082, introduced by Representatives Pratt, Dusenberg, Portwood, Lembke, Schneider and Johnson (47), relating to qualifications for civilian review boards.

HB 1083, introduced by Representatives Rector, Willoughby, Byrd, Emery, LeVota, Wilson (130), Schlottach and Angst, relating to credit for franchise fees.

HB 1084, introduced by Representatives Emery, Rector, Willoughby, Sager, Whorton, Walker, Young, Dempsey, Schlottach, Engler, Yates, Lembke, Nieves, Richard and Bivins, relating to telecommunications service including customer specific pricing.

HB 1085, introduced by Representatives Townley, Hobbs, Dethrow, Whorton, Wilson (119), Bivins, Harris (110), May, Myers, Goodman, Mayer, Bean, Munzlinger, Quinn, Selby, Deeken, Dougherty, Guest, Bruns and Smith (118), relating to the taking of property.

HB 1086, introduced by Representatives Hobbs, Yates, Richard, Wilson (130), Dusenberg, Luetkemeyer, Threlkeld, Crowell, Pratt and Lager, relating to teachers and school administrators.

HB 1087, introduced by Representative Boykins, relating to recall elections for school board members.

HB 1088, introduced by Representative Boykins, relating to insurance coverage for obesity.

HB 1089, introduced by Representatives Bishop, Zweifel, Donnelly, Whorton, Spreng, Sager, Meiners, Carnahan, Jones, Willoughby, Walker, Wildberger, Morris, Skaggs, Darrough and LeVota, relating to nonpublic personal health information.

HB 1090, introduced by Representatives Bishop and Portwood, relating to property insurance for real property transferring upon death.

HB 1091, introduced by Representatives Wood, Stevenson, Pearce, Baker, Phillips, Lembke, Moore, Richard, Schneider, Dixon, Emery, Wasson, Wallace, Ruestman, Cunningham (145), Bough, Morris, Davis (19), Myers, Taylor, Bivins, Crawford, Goodman, Jetton, Sander, Kuessner and Wright, relating to local approval for licensing of excursion gambling boats.

HB 1092, introduced by Representatives Deeken, Wilson (119), Reinhart, King and Kingery, relating to compensation for additional duties of county clerks.

HB 1093, introduced by Representatives Deeken, Skaggs, Engler, Smith (118), Riback Wilson (25), Graham, Carnahan, Young, Luetkemeyer, Hanaway, Zweifel, Darrough, Walker, Bishop, Wallace, Shoemyer, Davis (122) and Harris (110), relating to rights of persons with service dogs.

HB 1094, introduced by Representatives Mayer, Jolly, Portwood, Lipke, Dusenberg, Yates, Pratt, Goodman, Kingery, LeVota, Dougherty, Roark, Myers, Crowell, Burnett, Jetton, Black, Bivins, Icet, Bean, Bringer and Behnen, relating to the DNA profiling system.

HB 1095, introduced by Representatives Stefanick, McKenna, Moore, Cooper (120), Sutherland, Bearden, Bruns, Schlottach, Roark, Engler, Kingery, Wagner, Davis (122), Goodman, Viebrock, Stevenson, Graham, Kuessner, Kelly (36), Barnitz, Shoemyer, Guest, Pearce, Luetkemeyer, Whorton, Dusenberg, Schaaf, Jetton, Burnett, Bivins, Jolly, Munzlinger, Kratky, Icet, Wildberger and Crowell, relating to the state highway patrol.

HB 1096, introduced by Representatives Wilson (130), Rector, Smith (118), Hobbs, Pearce, Ruestman, Willoughby, Stevenson and Schlottach, relating to transmission of telephone numbers by telecommunications companies.

HB 1097, introduced by Representatives Schaaf, Holand, Kingery, Bean, Cooper (155), Page, Carnahan, Wildberger, Engler and Hubbard, relating to prevention, screening, and treatment of lead poisoning.

HB 1098, introduced by Representatives Goodman, Brown, Byrd, Bough, Quinn, Sutherland, Crawford, Lipke, Wilson (130), Reinhart, Engler, Smith (14), Icet, Munzlinger, Dethrow, Myers and Sander, relating to inaugural committees.

HB 1099, introduced by Representatives Reinhart, Ervin and Quinn, relating to exemptions from state and local sales and use taxes.

SECOND READING OF HOUSE BILLS

HB 1042 through **HB 1066** were read the second time.

PERFECTION OF HOUSE BILL

HB 916, with House Committee Amendment No. 1, relating to identity theft, was taken up by Representative Brown.

On motion of Representative Brown, **House Committee Amendment No. 1** was adopted.

Representative Goodman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 916, Section 570.223, Page 1, Lines 2 and 3, by deleting the brackets that enclose the words “transfers”.

On motion of Representative Goodman, **House Amendment No. 1** was adopted.

Representative Lipke offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 916, Section 570.223, Page 2, Line 22, by inserting immediately after said line the following:

“(1) Identity theft or attempted identity theft which does not result in the theft or appropriation of credit, money, goods, services, or other property is a class B misdemeanor;”; and

Further amend said section, by renumbering the subdivisions accordingly; and

Further amend said section, Page 3, Line 76, by deleting the words “**subdivision (1)**” and by inserting in lieu thereof the words “**subdivisions (1) or (2)**”; and

Further amend said page, Line 77, by inserting immediately after the word “**theft**” the words “**or attempted identity theft**”; and

Further amend said page, Line 78, by inserting immediately after the words “**identity theft**” the words “**or attempted identity theft**”.

On motion of Representative Lipke, **House Amendment No. 2** was adopted.

Representative Byrd offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 916, Page 3, Section 570.223, Line 65, by deleting all words on said line and inserting in their stead the following:

“Sections 570.223 and 570.224 shall not apply to the following activities:”.

Representative Yates assumed the Chair.

Representative Donnelly offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Bill No. 916, Page 3, Section 570.223, Line 65, by deleting all words on line 65 and inserting in their stead the following:

“Section 570.223 shall not apply to the activity described in subdivision (1) of section 570.223.9 and Section 570.224 shall not apply to the activities described in subdivisions (1), (2), (3), and (4) of section 570.223.9”.

Representative Donnelly moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Byrd, **House Amendment No. 3** was adopted.

Representative Lipke offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 916, Section 570.224, Page 4, Lines 2 and 3, by deleting said lines and inserting in lieu thereof the following:

“person manufactures, sells, transfers, purchases, or possesses, with intent to sell or transfer means of identification or identifying information, for the”; and

Further amend said section, Page 4, Lines 5 thru 8, by deleting said lines and inserting in lieu thereof the following:

“2. Unauthorized possession of means of identification of five or more separate persons, shall be a rebuttable presumption that the identities are possessed with intent to manufacture, sell, or transfer means of identification or identifying information for the purpose of committing identity”.

On motion of Representative Lipke, **House Amendment No. 4** was adopted.

Representative Seigfreid offered **House Amendment No. 5.**

Speaker Hanaway resumed the Chair.

Representative Goodman raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Salva offered **House Amendment No. 6.**

Representative Goodman raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Page offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Bill No. 916, Page 4, Section 570.223, Line 92, by inserting after “locality” the following:

“A person who commits the crime of identity theft for the purpose of committing a terrorist act as defined by existing federal law for the purpose of aiding or abetting another in committing a terrorist act shall be guilty of a felony and punished up to thirty years imprisonment or life imprisonment.”.

Representative Lipke offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Bill No. 916, Page 4, Section 570.223, Line 92, by inserting after “locality” the following:

“A person who commits the crime of identity theft for the purpose of committing a terrorist act as defined by existing federal law, for the purpose of aiding or abetting another in committing a terrorist act shall be guilty of a Class A felony.”.

On motion of Representative Lipke, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

Representative Walton offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Bill No. 916, Page 4, Section 570.224, Line 10, by inserting after said line, all of the following:

“575.120. 1. A person commits the crime of false impersonation if [he] such person:

(1) Falsely represents himself or herself to be a public servant with purpose to induce another to submit to his or her pretended official authority or to rely upon his or her pretended official acts, and

(a) Performs an act in that pretended capacity; or

(b) Causes another to act in reliance upon his or her pretended official authority; [or]

(2) Falsely represents himself or herself to be a person licensed to practice or engage in any profession for which a license is required by the laws of this state with purpose to induce another to rely upon such representation, and

(a) Performs an act in that pretended capacity; or

(b) Causes another to act in reliance upon such representation; or

(3) Upon being arrested, falsely represents himself or herself, to a law enforcement officer, with the first and last name, date of birth, or Social Security number, or a substantial number of identifying factors or characteristics as that of another person that results in the filing of a report or record of arrest or conviction for an infraction, misdemeanor, or felony that contains the first and last name, date of birth, and Social Security

number, or a substantial number of identifying factors or characteristics to that of such other person as to cause such other person to be identified as the actual person arrested or convicted.

2. If a violation of subdivision (3) of subsection 1 of this section is discovered prior to any conviction of the person actually arrested for an underlying charge, then the prosecuting attorney, bringing any action on the underlying charge, shall notify the court thereof, and the court shall order the false-identifying factors ascribed to the person actually arrested as are contained in the arrest and court records amended to correctly and accurately identify the defendant and shall expunge the incorrect and inaccurate identifying factors from the arrest and court records.

3. If a violation of subdivision (3) of subsection 1 of this section is discovered after any conviction of the person actually arrested for an underlying charge, then the prosecuting attorney of the county in which the conviction occurred shall file a motion in the underlying case with the court to correct the arrest and court records after discovery of the fraud upon the court. The court shall order the false identifying factors ascribed to the person actually arrested as are contained the arrest and court records amended to correctly and accurately identify the defendant and shall expunge the incorrect and inaccurate identifying factors from the arrest and court records.

4. Any person who is the victim of a false impersonation and whose identity has been falsely reported in arrest or conviction records may move for expungement and correction of said records under the procedures set forth in section 610.123, RSMo. Upon a showing that a substantial number of identifying factors of the victim was falsely ascribed to the person actually arrested or convicted, the court shall order the false identifying factors ascribed to the person actually arrested as are contained in the arrest and court records amended to correctly and accurately identify the defendant and shall expunge the incorrect and inaccurate factors from the arrest and court records.

5. False impersonation is a class B misdemeanor unless the person represents himself to be a law enforcement officer in which case false impersonation is a class A misdemeanor.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Walton, **House Amendment No. 8** was adopted.

Representative Schoemehl offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Bill No. 916, Page 4, Section 570.223, Line 92, by inserting immediately after said line the following:

“14. A person who commits the crime of identity theft for the purpose of voting, obtaining another person’s voting privileges, or altering the results of an election or aiding or abetting another in obtaining another person’s voting privileges or altering the result of an election shall be guilty of a Class A felony.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Goodman raised a point of order that **House Amendment No. 9** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Johnson (90) offered **House Amendment No. 1 to House Amendment No. 9**.

House Amendment No. 1

to

House Amendment No. 9

AMEND House Amendment No. 9 to House Bill No. 916, Page 4, Section 14, Line 4, by deleting the second “A” and inserting in lieu thereof the letter “C”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 1 to House Amendment No. 9** was adopted.

On motion of Representative Schoemehl, **House Amendment No. 9, as amended**, was adopted by the following vote:

AYES: 141

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Donnelly	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Henke	Hilgemann	Hobbs	Holand	Hunter
Icet	Johnson 47	Johnson 90	Jolly	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Wright	Yaeger	Young	Zweifel
Madam Speaker				

NOES: 009

Bland	Brooks	El-Amin	Haywood	Hoskins
Hubbard	Jones	Thompson	Wilson 42	

PRESENT: 000

ABSENT WITH LEAVE: 012

Abel	Avery	Carnahan	Cunningham 86	Curls
Dixon	Dougherty	Jackson	Jetton	Johnson 61
Wagner	Yates			

VACANCIES: 001

Representative Davis (19) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Bill No. 916, Page 2, Section 570.223, Line 20, by deleting the word “or” on said line; and

Further amend said bill, Section 570.223, Page 2, Line 21, by inserting after the word “marriage” on said line the following: “; **or (15) Passport.**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis (19), **House Amendment No. 10** was adopted.

Representative Jolly offered **House Amendment No. 11**.

Representative Goodman raised a point of order that **House Amendment No. 11** amends previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Brown, **HB 916, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 980 - Agriculture

WITHDRAWAL OF HOUSE BILLS

TO: Chief Clerk Stephen Davis
 Chief Clerk’s Office

FROM: Rep. Rodney R. Hubbard

DATE: January 14, 2004

RE: Withdrawing HB 848

I respectfully request that **House Bill No. 848** be withdrawn.

TO: Chief Clerk Stephen Davis
Chief Clerk's Office

FROM: Rep. Rodney R. Hubbard

DATE: January 14, 2004

RE: Withdrawing HB 849

I respectfully request that **House Bill No. 849** be withdrawn.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, January 15, 2004.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, January 15, 2004, 9:00 a.m. Room 414 Rep. Miller's office.
Committee Resolution #9. Executive Session may follow.

EDUCATION

Thursday, January 15, 2004, 8:00 a.m. Hearing Room 3.
Executive Session may follow. CANCELED
Public hearings to be held on: HB 1040, HB 1041

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, January 22, 2004, 10:00 a.m. Hearing Room 1.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, January 22, 2004, upon adjournment of both Chambers. Hearing Room 3.
Report of Revision Subcommittee. Oversight program evaluation on the
Office of Administration, Division of Facilities Management, State Leasing Practices.

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.
R.C. Wood & Associates.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.
Presentation by Dr. John Augenblick.

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, January 20, 2004, 2:00 p.m. Hearing Room 4.

Educational session on Dentists, Dental Hygienists and Dental Assistants.

SENIOR SECURITY

Tuesday, January 20, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 898

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 15, 2004

HOUSE BILLS FOR SECOND READING

HB 1067 through HB 1099

HOUSE BILL FOR PERFECTION

HB 969 - Cooper (120)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 5, (1-13-04, Pages 50-51), E.C. - Byrd (94)

HOUSE BILL FOR THIRD READING

HB 916 - Brown (30)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 15, 2004

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Lord God, You are Father of all peoples, those of every race, nation and creed. Your Holy Word inspired the founding fathers of our nation to write, "All...are created equal."

You raised up people like Dr. Martin Luther King, Jr. both to challenge and lead our nation in living up to its own conviction of the equality of all. For this we thank You. During and after his lifetime, justice has grown among us; peace has taken deeper root.

Your Holy Spirit aids those with the eye of wisdom to see that still much racism and prejudice remain. Many of us were born into a certain culture of racism, with attitudes of prejudice instilled in us from our earliest years.

In the name of our forebearers and in our own name, we ask Your forgiveness. We thank You for helping us to rise above much of this.

We ask You, God and Father of all, to continue to purify us by the practice of our faith, and by the discipline and the events of our lives, so that our service in the Missouri House of Representatives this year be clean, with the integrity of no prejudice at all.

Keep safe all travelers during the coming weekend. Protect from injury and death all our men and women in the armed forces.

We praise You! For You are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mary Bast, Amanda Bast, Ray Bast, Teresa Bast, Hannah Bast, Emily Kopff, Caroline Kopff and Audrey Lee Erdman.

The Journal of the fifth day was approved as corrected.

HOUSE RESOLUTION

Representative Townley offered House Resolution No. 71.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 72 - Representative Shoemyer
House Resolution No. 73 - Representatives Richard and Stevenson
House Resolution No. 74
and
House Resolution No. 75 - Representative George, et al
House Resolution No. 76
and
House Resolution No. 77 - Representative Goodman
House Resolution No. 78
and
House Resolution No. 79 - Representative Wagner
House Resolution No. 80 - Representative May
House Resolution No. 81 - Representative Whorton
House Resolution No. 82 - Representative Villa
House Resolution No. 83 - Representative Wilson (130)
House Resolution No. 84 - Representative Pratt
House Resolution No. 85
through
House Resolution No. 87 - Representative Witte
House Resolution No. 88 - Representative Dixon
House Resolution No. 89 - Representative Goodman
House Resolution No. 90 - Representative Donnelly
House Resolution No. 91 - Representative Hunter
House Resolution No. 92 - Representative Fraser
House Resolution No. 93 - Representative Hanaway
House Resolution No. 94 - Representative Lager

HOUSE CONCURRENT RESOLUTION

Representatives Zweifel, Jones, Corcoran, Darrough, Wildberger, Whorton, Carnahan and Muckler offered House Concurrent Resolution No. 11.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 46, introduced by Representatives Stevenson, Smith (14), Wilson (119), Ruestman and Goodman, relating to term limits.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1100, introduced by Representatives Rector, LeVota, Willoughby, Taylor, Emery, Wilson (130), Ward, Angst, Stevenson, Richard, Viebrock, Wasson, Skaggs, Young and Bishop, relating to recovery of costs by electrical corporations.

HB 1101, introduced by Representatives Yates, Sutherland, Smith (118), Stevenson, Dusenberg, Hobbs, Dixon, Reinhart, Smith (14), Munzlinger, Portwood and Phillips, relating to campaign finance disclosure reports.

HB 1102, introduced by Representatives Wallace, Davis (122), King, Wilson (119), Bivins, Moore, Hampton, Engler, Taylor, Schneider, Townley, Lembke, Rector, Bough, Black, Baker, Angst, Schlottach, Crawford, Hunter, Wilson (42), Curls, Dethrow, Viebrock, Kuessner, Richard, Smith (118), Behnen, Stefanick, Cunningham (145), Wood, Sander, Phillips, Cooper (155), Purgason, Goodman, Dempsey, Icet, Parker, Skaggs, Whorton, Young, Ruestman, Morris, Kelly (144), Mayer, Wasson, Bean, Stevenson, May, Myers, Kingery, Lipke, Holand, Guest, Pearce, Miller, Luetkemeyer, Walton, Villa, Bishop, Swinger, Haywood, Ransdall, Wilson (130), Witte, Dixon, Quinn and Munzlinger, relating to education accountability standards.

HB 1103, introduced by Representatives Lipke, Goodman and Baker, relating to juvenile court jurisdiction.

HB 1104, introduced by Representatives Jolly, LeVota, Skaggs, Meiners, Lowe, Campbell, Walker, Dusenberg, Brown, Pratt, Yates and Bishop, relating to the disposal of a former tenant's property.

HB 1105, introduced by Representatives Crawford, Moore, Lembke, Phillips, Reinhart, Pearce, Smith (14), Engler, Whorton, Quinn, Selby, Crowell, Henke, Luetkemeyer, Dougherty, Cunningham (145), Hobbs, Ward and Munzlinger, relating to drivers' licenses.

HB 1106, introduced by Representatives Crawford, Reinhart, Smith (14), Byrd, Quinn, Guest and Moore, relating to the office of chief counsel for the department of transportation.

HB 1107, introduced by Representatives Crawford, Reinhart, Stevenson, Quinn, Luetkemeyer and Moore, relating to property adjacent to certain transportation districts.

HB 1108, introduced by Representatives Crawford, Phillips, Reinhart, Engler, Byrd, Whorton, Stevenson, Quinn, Selby, Kelly (36), Hobbs, Luetkemeyer, Dougherty, Moore, Munzlinger, Schlottach, Sutherland, Nieves, Sander, Threlkeld and Behnen, relating to the National Rifle Association license plate.

HB 1109, introduced by Representatives Crawford, Moore, Kelly (36), Dusenberg, Reinhart, Seigfreid, Dougherty, Phillips, Dethrow, Engler, Wilson (119), Whorton, Stevenson, Behnen, Quinn,

Selby, Guest, Luetkemeyer, Moore, Cooper (120), Young and Deeken, relating to wearing protective headgear while operating a motorcycle or motortricycle.

HB 1110, introduced by Representatives Crawford, Lembke, Reinhart, Byrd, Wildberger, Behnen, Quinn, Kelly (36), Moore, Munzlinger and Bruns, relating to crimes against employees.

HB 1111, introduced by Representatives Crawford, McKenna, Reinhart and Moore, relating to motor vehicles.

HB 1112, introduced by Representatives Crawford, Reinhart, Behnen and Moore, relating to housemovers.

HB 1113, introduced by Representatives Crawford, Reinhart, Byrd, Whorton, Quinn and Moore, relating to manufactured housing.

HB 1114, introduced by Representative Skaggs, relating to special license plates.

HB 1115, introduced by Representatives Dempsey, Guest, Rupp, Yates, Dixon, Jetton, Deeken, Munzlinger, Myers, Stefanick, Stevenson and Richard, relating to the commonsense consumption act.

HB 1116, introduced by Representatives Johnson (47), Walker, Young, Sager, Lowe, Phillips, Jolly, Burnett, Dougherty, Skaggs, LeVota, Baker, Kelly (36), Campbell, Meiners, Bishop, Curls, Sanders Brooks and Bland, relating to tax increment financing.

HB 1117, introduced by Representatives Wasson, Bough, Richard, Bean, Angst, Holand, Wallace and Cunningham (145), relating to enterprise zones.

HB 1118, introduced by Representatives Schlottach, Engler, Bough, Quinn, Dusenberg and Nieves, relating to commercial drivers' licenses.

HB 1119, introduced by Representatives Schlottach, Smith (14), Sutherland, LeVota, Emery, Goodman, Mayer, Taylor, Wildberger, Kuessner, Kratky, Dethrow, McKenna, Hilgemann, Wagner, Salva, Dougherty, Walsh, Henke, Ruestman, Crawford, Hobbs, Wilson (42), Ransdall, Jones, Lembke, Dusenberg and Nieves, relating to driver's licenses.

HB 1120, introduced by Representatives Pratt, Dusenberg, Schaaf, Kingery, Baker, Morris, Threlkeld, Purgason, Stevenson, Sutherland, Hobbs, Portwood, Page, Brown, Johnson (47), Cooper (120), Selby, Henke and Witte, relating to educational information on shaken baby syndrome.

HB 1121, introduced by Representatives Davis (19), Emery, Phillips, Dixon, Kelly (36), Myers, Morris, Viebrock, Jolly, Holand, Bishop, Skaggs, Roark and Wood, relating to open alcoholic beverage containers.

HB 1122, introduced by Representatives Davis (19), Holand and Jones, relating to bicycle safety.

HB 1123, introduced by Representatives Smith (14), Ruestman, Guest, Yates, Schlottach, Sanders Brooks, Dusenberger, Pearce, Smith (118), Taylor, Jones, Bean, Hunter, Muckler, Dempsey, Bruns, Ictet, Emery, Hobbs, Roark, Bivins, Villa, Daus, Spreng, Meiners, Threlkeld, Wright, McKenna, Wood, Green, Sander and Black, relating to specialized license plates.

HB 1124, introduced by Representatives Seigfreid, Davis (122), Jolly, Ransdall, Willoughby, Kratky, Burnett, Salva, Johnson (90), Jones, Bringer, Witte, Curls, Page, Harris (110), Zweifel, Skaggs, Barnitz, Lowe and Henke, relating to insurance premium rates.

HB 1125, introduced by Representatives Seigfreid, Davis (122), Harris (23), Jones, Bland, George, Kratky, Salva, Johnson (90), Ransdall, Willoughby, Witte, Curls, Burnett, Harris (110), Zweifel, Barnitz and Lowe, relating to state employees' pay.

HB 1126, introduced by Representatives Seigfreid, Sander and Shoemyer, relating to detachment from watershed districts.

HB 1127, introduced by Representatives Seigfreid, Moore, Lowe, LeVota, Ransdall, Walsh, Wildberger, Shoemyer, Zweifel and Harris (23), relating to the health plan for state employees.

HB 1128, introduced by Representatives Lipke and Crowell, relating to equalization of county official salaries.

HB 1129, introduced by Representatives Haywood, Muckler, Sanders Brooks, Wilson (42), Riback Wilson (25), Abel, Spreng, Kelly (36), George, Curls, Jones, Wildberger, Donnelly, Hoskins, Boykins, Hubbard, Meiners, Walsh, Darrough, Corcoran, Page, Sager, Harris (110), Villa, Daus, Jolly, Skaggs, El-Amin and Walton, relating to cross burning.

HB 1130, introduced by Representatives Haywood, Muckler, Sanders Brooks, Curls, Jolly, Liese, Harris (110), Page, Jones, Abel, Curls, Spreng, Kelly (36), Hoskins, Boykins, Bishop, Walker, Thompson, Corcoran, Daus, Young and El-Amin, relating to retirement for state employees.

HB 1131, introduced by Representatives Haywood, Wilson (42), Jones, Sanders Brooks, El-Amin, Hoskins, Bland, Boykins, Hubbard and Walton, relating to the use of credit scoring for insurance purposes.

HB 1132, introduced by Representatives Skaggs, Willoughby and Bishop, relating to Missouri Day.

HB 1133, introduced by Representatives Lipke, Goodman and Lembke, relating to intoxication-related traffic offenses.

HB 1134, introduced by Representatives Hunter and Wilson (130), relating to prevailing wages on public works.

HB 1135, introduced by Representatives Rupp, Kelly (144), Bruns, Nieves and Smith (14), relating to the display of adult entertainment films in motor vehicles.

HB 1136, introduced by Representative Rupp, relating to the disposition of fetal remains act.

HB 1137, introduced by Representative Rupp, relating to A+ schools program.

HB 1138, introduced by Representative Rupp, relating to A+ schools program.

HB 1139, introduced by Representatives Viebrock, Reinhart, Munzlinger, LeVota, Ervin, Smith (118), Taylor, Schlottach, Schneider, Dusenberg, Morris, Stevenson, Deeken, King, Lembke, Wilson (119), Stevenson, Bean, Kingery, Self, Townley, Wasson, Wood, Wallace, Davis (19), Bough, Quinn, Hobbs, Bruns, Yates, May, Kuessner, Angst, Guest, Cooper (120), Schaaf, Hunter and Whorton, relating to adoption tax credits.

HB 1140, introduced by Representatives Viebrock and Whorton, relating to audits of fire protection districts.

HB 1141, introduced by Representatives Zweifel, LeVota, Corcoran Whorton, Carnahan, Sager and Muckler, relating to the Senior Rx program.

HB 1142, introduced by Representatives Daus, Whorton, Villa, Jones, Smith (14), Young, Muckler, Green, Engler, King, Hilgemann, McKenna and Henke, relating to the regulation of low-speed vehicles.

HB 1143, introduced by Representatives Pratt, Yates and Byrd, relating to jury service.

HB 1144, introduced by Representatives Dixon, Schoemehl, Walker, Kingery, Munzlinger, Wallace and Barnitz, relating to the regulation and licensing of the practice of naturopathic medicine.

HB 1145, introduced by Representatives Stevenson and Byrd, relating to public retirement systems.

HB 1146, introduced by Representatives Stevenson, Moore and Ruestman, relating to small claims actions.

HB 1147, introduced by Representatives Stevenson, Ruestman, Hunter, Richard, Emery and Wilson (130), relating to qualifications for the board of governors of Missouri Southern State University - Joplin.

HB 1148, introduced by Representative Stevenson, relating to retirement benefits for prosecuting attorneys.

HB 1149, introduced by Representatives May, Deeken, King, Stefanick, Moore, Miller, Reinhart, Graham, Bivins, Phillips, Wildberger, Smith (118), Townley, Wilson (42), Stevenson, Behnen, Quinn, Munzlinger, Myers, Richard, Whorton, Harris (23), Brown, Luetkemeyer, Dusenberg,

Hampton, Lipke, Burnett, Kelly (36), St. Onge, Lembke, Wilson (119), Emery, Taylor and Kratky, relating to the Trooper Mike L. Newton Memorial Bridge.

HB 1150, introduced by Representatives May and Hanaway, relating to ethics.

HB 1151, introduced by Representatives Lembke, Portwood, Muckler, Bearden, Avery, Townley, Harris (110), Smith (14), Dempsey, Hubbard, Davis (19), Munzlinger, Engler, Phillips, Dixon, Myers, Ervin, Black, Wood, Rupp, Reinhart, Dusenberg, Cunningham (145), Moore, Luetkemeyer, Yates, Wallace, Sander, Dougherty, Hunter, Miller, Kelly (36), Crowell, Self, Jetton, Guest, Crawford, Hobbs, Schlottach, Stefanick, Stevenson, Wilson (119), Mayer, Deeken, Morris, Bivins, Wasson, Richard, Icet, Cooper (120), Baker, Lipke, Bean, Parker, Wright, Schaaf, Yaeger, Kelly (144), Kingery, Bruns, Roark, Goodman, Wilson (130), Ruestman, Viebrock, Schneider, Emery, Quinn, St. Onge, Villa, May, Henke, Liese, Cunningham (86), Wildberger, Angst, Brown, Nieves, Wagner, Salva, Spreng, Burnett, Shoemyer, Kratky, Selby, Ward, Behnen, Kuessner, Meiners, Schoemehl, George, McKenna, King, Shoemaker, Smith (118), Dethrow, Hampton, Rector, Corcoran, Pearce, Marsh and Vogt, relating to human cloning.

SECOND READING OF HOUSE BILLS

HB 1067 through **HB 1099** were read the second time.

THIRD READING OF HOUSE BILL

HB 916, relating to identity theft, was taken up by Representative Brown.

On motion of Representative Brown, **HB 916** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Icet	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark

Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

El-Amin Hoskins

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bivins	Carnahan	Cunningham 86	Jackson
Johnson 61	Lawson	LeVota		

VACANCIES: 001

Speaker Hanaway declared the bill passed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 4 - Rules

HR 6 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 8 - Special Committee on Urban Issues

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 38 - Children and Families

HJR 39 - Children and Families

HJR 40 - Budget

HJR 41 - Education

HJR 42 - Children and Families

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 784** - Crime Prevention and Public Safety
- HB 785** - Special Committee on Urban Issues
- HB 786** - Crime Prevention and Public Safety
- HB 787** - Crime Prevention and Public Safety
- HB 791** - Crime Prevention and Public Safety
- HB 795** - Local Government
- HB 798** - Judiciary
- HB 799** - Children and Families
- HB 801** - Local Government
- HB 802** - Local Government
- HB 803** - Transportation and Motor Vehicles
- HB 804** - Financial Services
- HB 808** - Judiciary
- HB 809** - Health Care Policy
- HB 810** - Workforce Development and Workplace Safety
- HB 812** - Tax Policy
- HB 813** - Tax Policy
- HB 845** - Transportation and Motor Vehicles
- HB 846** - Children and Families
- HB 850** - Crime Prevention and Public Safety
- HB 852** - Health Care Policy
- HB 853** - Education
- HB 855** - Health Care Policy
- HB 857** - Transportation and Motor Vehicles
- HB 860** - Education
- HB 866** - Health Care Policy
- HB 868** - Financial Services
- HB 869** - Professional Registration and Licensing
- HB 893** - Tax Policy
- HB 895** - Local Government
- HB 903** - Tax Policy
- HB 904** - Financial Services
- HB 912** - Transportation and Motor Vehicles
- HB 914** - Health Care Policy
- HB 921** - Transportation and Motor Vehicles
- HB 923** - Health Care Policy
- HB 924** - Professional Registration and Licensing
- HB 932** - Local Government
- HB 938** - Financial Services
- HB 947** - Local Government
- HB 948** - Local Government

HB 949 - Elections
HB 950 - Local Government
HB 951 - Elections
HB 952 - Transportation and Motor Vehicles
HB 953 - Transportation and Motor Vehicles
HB 954 - Elections
HB 955 - Professional Registration and Licensing
HB 958 - Tax Policy
HB 959 - Financial Services
HB 960 - Transportation and Motor Vehicles
HB 964 - Financial Services
HB 968 - Children and Families
HB 971 - Tax Policy
HB 972 - Local Government
HB 973 - Tax Policy
HB 974 - Judiciary
HB 976 - Transportation and Motor Vehicles
HB 978 - Small Business
HB 979 - Crime Prevention and Public Safety
HB 981 - Agriculture
HB 982 - Education
HB 989 - Local Government
HB 994 - Judiciary
HB 1000 - Health Care Policy
HB 1033 - Education
HB 1036 - Judiciary
HB 1042 - Local Government
HB 1046 - Tax Policy
HB 1048 - Education
HB 1049 - Transportation and Motor Vehicles
HB 1052 - Crime Prevention and Public Safety
HB 1053 - Crime Prevention and Public Safety
HB 1055 - Crime Prevention and Public Safety
HB 1059 - Crime Prevention and Public Safety
HB 1060 - Crime Prevention and Public Safety
HB 1061 - Budget
HB 1062 - Transportation and Motor Vehicles
HB 1063 - Transportation and Motor Vehicles
HB 1064 - Financial Services
HB 1065 - Judiciary
HB 1066 - Judiciary
HB 1071 - Local Government
HB 1072 - Special Committee on General Laws
HB 1073 - Crime Prevention and Public Safety
HB 1076 - Education

HB 1077 - Judiciary
HB 1079 - Judiciary
HB 1083 - Communications, Energy and Technology
HB 1084 - Communications, Energy and Technology
HB 1087 - Elections
HB 1091 - Elections
HB 1093 - Agriculture
HB 1094 - Crime Prevention and Public Safety
HB 1096 - Communications, Energy and Technology
HB 1098 - Elections

COMMUNICATION

January 15, 2004

To: Chief Clerk Stephen Davis
Chief Clerk's Office

From: Annie Reinhart

I would like to remove my co-sponsorship and support of **HB 901** and respectfully request that it be reflected in the Journal.

The following member's presence was noted: Lawson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 12:00 p.m., Tuesday, January 20, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifth Day, Wednesday, January 14, 2004, page 56, roll call, by showing Representative Dixon voting "aye" rather than "absent with leave".

Pages 70 and 71, roll call, by showing Representative Dixon voting "aye" rather than "absent with leave".

AFFIDAVIT

I, State Representative Brian Yates, District 56, hereby state and affirm that my vote as recorded on Pages 56 and 71 of the House Journal for Wednesday, January 14, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of January 2004.

/s/ Brian Yates
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of January in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, January 20, 2004, Hearing Room 1 upon afternoon adjournment.
Possible Executive Session.
Public hearings to be held on: HB 980

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 21, 2004, 2:30 p.m. Hearing Room 4.
Public testimony for Department of Natural Resources.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 20, 2004, 3:00 p.m. Hearing Room 7.
Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 21, 2004, 3:00 p.m. Hearing Room 7.
Office of Administration.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 20, 2004, 3:00 p.m. Department of Revenue/Truman Building.

BUDGET

Tuesday, January 20, 2004, 10:00 a.m. Hearing Room 3.
Possible Executive Session.
Public hearings to be held on: HJR 28

EDUCATION

Wednesday, January 21, 2004, 5:00 p.m. Hearing Room 3.
Executive Session may follow. Continuation of January 14th's hearing.
Public hearings to be held on: HB 1040, HB 1041

ELECTIONS

Tuesday, January 20, 2004, 5:00 p.m. Hearing Room 7.

Introductory session with representatives from Secretary of State Election Division, Ethics and County Clerks.

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, January 22, 2004, Hearing Room 1 upon morning adjournment.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, January 22, 2004, Hearing Room 3 upon adjournment of both Chambers.

Report of Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, State Leasing Practices.

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.

R.C. Wood & Associates.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.

Presentation by Dr. John Augenblick.

LOCAL GOVERNMENT

Thursday, January 22, 2004, 8:30 a.m. Hearing Room 6.

Public hearings to be held on: HB 795, HB 932, HB 948, HB 950

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, January 20, 2004, Hearing Room 4 upon afternoon adjournment.

Educational session on Dentists, Dental Hygienists and Dental Assistants.

SENIOR SECURITY

Tuesday, January 20, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 898

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 20, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 46

HOUSE BILLS FOR SECOND READING

HB 1100 through HB 1151

HOUSE BILL FOR PERFECTION

HB 969 - Cooper (120)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 5, (1-13-04, Pages 50-51), E.C. - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 20, 2004

The House met pursuant to adjournment.

Representative Self in the Chair.

Prayer by Reverend Donald W. Lammers.

(Here are words from the Old Testament prophet Daniel that might come from our voices on a day like today.)

"Cold and chill, bless the Lord.

Dew and rain, bless the Lord.

Frost and chill, bless the Lord.

Ice and snow, bless the Lord.

Nights and days, bless the Lord." (*Daniel 3:67-71*)

Almighty God, Holy Lord, the political caucuses of last night and the State of the Union Address of tonight seize our attention and extend our vision all the way to the elections of November. Send Your Holy Spirit to work so deeply in the minds and hearts of all concerned, that the outcomes, all over our nation, are within the boundary of Your Holy will.

We, for our part, have our work of today and the days ahead. Help us to take up our work as women and men in public service to the people of our State. Help us engage in the politics that is wise, diplomatic, even shrewd, the politics that shows us to be true servants of all the people. Give us the courage and wisdom to respond to the demands of the common good rather than unworthy pressure, so that our work may remain within the boundary of Your Holy will.

We pray to You, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashton Luttrull and Sydney Luttrull.

The Journal of the sixth day was approved as printed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon

Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jetton
Johnson 47	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bivins	Brooks	Graham	Haywood
Jackson	Johnson 61	Shoemyer	Walton	

VACANCIES: 001

HOUSE RESOLUTIONS

Representative Deeken offered House Resolution No. 95.

Representatives Wilson (130), Cunningham (145), Engler, Bearden, Deeken, Barnitz, Dempsey, Stevenson, Myers, Bough, Davis (19), Reinhart, Townley, Sander, Ervin, Munzlinger, Luetkemeyer, Ruestman, Smith (14), Jackson, Kelly (144), Rupp, Hobbs, Baker, Behnen, Quinn, Wood, Schlottach, Phillips, Brown, Wilson (119) and Stefanick offered House Resolution No. 96.

Representative Crowell offered House Resolution No. 120.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 97 - Representatives Marsh, Richard and Wright
- House Resolution No. 98 - Representative Deeken

House Resolution No. 99

through

House Resolution No. 102 - Representative Jolly
House Resolution No. 103 - Representative Dethrow
House Resolution No. 104 - Representative Luetkemeyer
House Resolution No. 105 - Representative Cooper (120)
House Resolution No. 106 - Representative Wasson
House Resolution No. 107 - Representative Willoughby

House Resolution No. 108

through

House Resolution No. 118 - Representative Lager
House Resolution No. 119 - Representative Ward
House Resolution No. 121 - Representative Cunningham (86)
House Resolution No. 122 - Representative Richard
House Resolution No. 123 - Representatives Wright, Lembke and Portwood

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 12, introduced by Representatives Kelly (36), Hobbs, Darrough, Luetkemeyer, Baker, Kratky, Rupp, Nieves, Wilson (130), Kelly (144), Yates and Bringer, relating to the designation of Miss Missouri as an official hostess of the State of Missouri.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1152, introduced by Representatives Wilson (130), Hobbs, Smith (118), Ruestman, Sander, Behnen, Myers, Wilson (119), Stevenson, Wallace, Wood, Cunningham (145), Schlottach and Brown, relating to terrorism.

HB 1153, introduced by Representatives Wilson (130), Hobbs, Self, Smith (118), Ruestman, Sutherland, Threlkeld, Pearce, Stevenson, Skaggs, Wallace, Wood, Quinn, Sander, Schlottach, Myers, Brown and Wilson (119), relating to drug crimes.

HB 1154, introduced by Representatives Sanders Brooks, El-Amin, Hoskins, Hubbard, Boykins, Curls, Bland, Walton, Haywood, Shoemyer, Donnelly, Jones, Abel and Willoughby, relating to strip searches of public and charter school students.

HB 1155, introduced by Representatives Riback Wilson (25), Donnelly, Yaeger, Schoemehl and Page, relating to child safety restraints.

HB 1156, introduced by Representatives Byrd and Rector, relating to telecommunications companies.

HB 1157, introduced by Representative Cooper (120), relating to motor vehicles.

HB 1158, introduced by Representatives Portwood, Lembke and Page, relating to installment payments of property taxes in certain counties.

HB 1159, introduced by Representative Luetkemeyer, relating to exhaustion of administrative remedies for insurance-related lawsuits.

HB 1160, introduced by Representatives Parker, Deeken, King, Bruns and Nieves, relating to health insurance coverage for treatment of inherited diseases of amino and organic acids.

HB 1161, introduced by Representatives Smith (118), Wood, Harris (110), Engler, Wilson (119), Munzlinger, Lipke, Moore, Crowell, Wilson (130), Schlottach, Stevenson, Myers and Sander, relating to county ordinances and resolutions.

HB 1162, introduced by Representatives Smith (118), Moore, Crowell, Wilson (130), Bivins, Stevenson and Schlottach, relating to the salary schedule for public administrators.

HB 1163, introduced by Representatives Smith (118), Sutherland, Engler, Wilson (119), Munzlinger, Lipke, Dixon, Ruestman, Crowell, Wilson (130), Schlottach, Stevenson, Myers, Goodman and Sander, relating to classification of counties.

HB 1164, introduced by Representatives Smith (118), Morris, Dixon, Crowell, Schlottach, Stevenson, Smith (14), Goodman and Hobbs, relating to depreciable business personal property.

HB 1165, introduced by Representative Schaaf, relating to any willing providers for health insurance.

HB 1166, introduced by Representatives Pratt, Yates, Schneider, Hanaway, Dusenberg, Pearce, Rector, Dixon, Deeken, Byrd, Mayer, Cooper (120), Crowell, Ervin, Luetkemeyer, Dempsey, Hobbs, Richard, Brown, Stefanick, Bruns, Johnson (47), Emery, Wood, Parker, Roark, Jetton, Hunter, Baker, Wasson, Black, Ruestman, Wilson (130), Hubbard, Hoskins, Willoughby, Dougherty, LeVota, Bishop, Skaggs and Vogt, relating to the resolution of disputes concerning alleged defective residential construction.

HB 1167, introduced by Representatives Kelly (144), Marsh, Purgason, Quinn, Rupp, Wilson (119), Rector and Jetton, relating to special license plates.

HB 1168, introduced by Representatives Kelly (144), Purgason, Quinn, Rupp, Myers, Sander, Rector and Jetton, relating to sexual contact with a student while on public school property.

HB 1169, introduced by Representative Luetkemeyer, relating to use of Social Security numbers.

HB 1170, introduced by Representative Crawford, relating to certain department of transportation reports.

HB 1171, introduced by Representatives Rector, Emery, Angst, Willoughby, Bough and Viebrock, relating to joint municipal utility projects.

HB 1172, introduced by Representative Morris, relating to professional assessments.

HB 1173, introduced by Representatives Cunningham (86), Lembke, Threlkeld, Baker, Parker, Icet, Stefanick, Kingery, Muckler, Hubbard, Sager, Smith (118), Dixon, Ervin, Wagner, Davis (122), Walton, Ward, Hampton, Wallace, Haywood and Dusenberg, relating to the counting of pupils for school aid.

HB 1174, introduced by Representatives Stefanick, Hanaway, Crowell, Bean, Lager, Portwood, Yates, Threlkeld, Parker, Jetton, Nieves, Bearden, Myers, Pratt, Sutherland, Dusenberg, Stevenson, Hobbs, Deeken, Bruns, Guest, Shoemaker, Wilson (130), Quinn, Angst, Munzlinger, Pearce, Sander, Dempsey, Purgason, Roark, Cunningham (145), Baker, Bough, Davis (122), Goodman, Reinhart, Miller, Wilson (119), Self, Fares, King, Wallace, Dethrow, Kingery, Kelly (144), Johnson (47), Marsh, Schneider, Dougherty, Moore, Byrd, Cunningham (86) and Seigfreid, relating to the children's mental health reform act.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 46 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1100 through **HB 1151** were read the second time.

Speaker Pro Tem Jetton assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 5, relating to a Missouri vendor payroll deduction, was taken up by Representative Byrd.

Representative Behnen assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

HCR 5 was laid over.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 71 - Rules

HR 120 - Rules

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 45 - Transportation and Motor Vehicles

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 774 - Tax Policy

HB 946 - Transportation and Motor Vehicles

HB 1074 - Special Committee on Urban Issues

HB 1100 - Communications, Energy and Technology

HB 1105 - Transportation and Motor Vehicles

HB 1106 - Transportation and Motor Vehicles

HB 1107 - Transportation and Motor Vehicles

HB 1108 - Transportation and Motor Vehicles

HB 1111 - Transportation and Motor Vehicles

HB 1112 - Transportation and Motor Vehicles

HB 1113 - Transportation and Motor Vehicles

HB 1119 - Transportation and Motor Vehicles

HB 1129 - Special Committee on Urban Issues

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HJR 28**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative El-Amin is no longer a member of the Children and Families Committee.

Representative Walker has been appointed a member of the Children and Families Committee.

Representative Dusenberg is no longer a member of the Communications, Energy and Technology Committee.

Representative Pratt has been appointed a member of the Communications, Energy and Technology Committee.

Representative Swinger has been appointed a member of the Education Committee.

Representative Avery is no longer a member of the Homeland Security and Veterans Affairs Committee and the Transportation and Motor Vehicles Committee.

Representative Morris has been appointed a member of the Homeland Security and Veterans Affairs Committee.

Representative Walker is no longer a member of the Tourism and Cultural Affairs Committee.

Representative El-Amin has been appointed a member of the Tourism and Cultural Affairs Committee.

Representative Sutherland has been appointed a member of the Transportation and Motor Vehicles Committee.

SUPPLEMENTAL CALENDAR

January 20, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark

The following members' presence was noted: Graham and Sanders Brooks.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, January 21, 2004.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 21, 2004, 2:30 p.m. Hearing Room 4.

Public testimony for Department of Natural Resources.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 21, 2004, 2:30 p.m. Hearing Room 7. AMENDED

Department of Revenue and Office of Administration.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 21, 2004, 3:00 p.m. Truman Building 4th floor.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 22, 2004, 8:15 a.m. Hearing Room 5

Testimony from the Department of Insurance.

BUDGET

Thursday, January 22, 2004, 8:00 a.m. Hearing Room 3.

Presentation of Governor's Budget Recommendations, House Appropriations Staff Presentation.

Committee will reconvene upon adjournment.

EDUCATION

Wednesday, January 21, 2004, 5:00 p.m. Hearing Room 3.

Executive Session may follow. Continuation of January 14th's hearing.

Public hearings to be held on: HB 1040, HB 1041.

EDUCATION

Thursday, January 22, 2004, 8:00 a.m. Hearing Room 4.

Possible Executive Session on HB 1040 and HB 1041.

ETHICS

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 4.

109 Caucus. Executive Session may follow.

HEALTH CARE POLICY

Wednesday, January 21, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 923

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, January 22, 2004, Hearing Room 1 upon morning adjournment.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, January 22, 2004, Hearing Room 3 upon adjournment of both Chambers.

Report of Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, State Leasing Practices. AMENDED

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.

R.C. Wood & Associates.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.

Presentation by Dr. John Augenblick.

JUDICIARY

Wednesday, January 21, 2004, Hearing Room 1 upon adjournment.

No Executive Session. AMENDED

Public hearings to be held on: HB 798, HB 974, HB 994, HB 1077 and HB 1079.

LOCAL GOVERNMENT

Thursday, January 22, 2004, 8:30 a.m. Hearing Room 6.

Public hearings to be held on: HB 795, HB 932, HB 948 and HB 950.

RULES

Wednesday, January 21, 2004, 8:30 a.m. Hearing Room 3.

Executive Session may follow. AMENDED

Public hearings to be held on: HR 71 and HR 120.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, January 21, 2004, Hearing Room 7 upon adjournment.

Public hearings to be held on: HB 803, HB 946, HB 952, HB 1062, HJR 45, HB 1105, HB 1106, HB 1107, HB 1111, HB 1113 and HB 1119.

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 21, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 12

HOUSE BILLS FOR SECOND READING

HB 1152 through HB 1174

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILL FOR PERFECTION

HB 969 - Cooper (120)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 5, (1-13-04, Pages 50-51), E.C. - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 21, 2004

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we draw near to You to receive the necessary wisdom and understanding for this day in order that our plans and pursuits may not be fruitless.

Help us to make moment-by-moment adjustments to Your will and Your way for us. May our attempts to resolve the business of state proceed unobstructed and may our vision of the future be clear.

Give us eyes to discern what lays ahead, ears to hear one another truthfully, and the boldness to speak our heart's passion at the right time for the right reason.

Thank You for being a very present help in time of need.

Now may the grace of our Lord and the love of God be with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventh day was approved as corrected.

SPECIAL RECOGNITION

Joseph Newman was recognized as an Outstanding Missourian by Representative Richard.

MOTION

Representative Crowell moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122

Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Skaggs	Smith 118	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bivins	Cooper 120	Haywood	Johnson 61
Reinhart	Shoemyer	Smith 14	Wagner	

VACANCIES: 001

ESCORT COMMITTEE

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell, and members of the Senate to the dais: Representatives May, Moore, Mayer, Hunter, Roark, Behnen, Zweifel, Harris (110), Boykins and El-Amin.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following escort committee to act with a like committee from the House pursuant to **HCR 2**: Senators Kinder, Gibbons, Russell, Yeckel, Klindt, Mathewson, Bland, Dougherty, Jacob and Coleman.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Maxwell, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 034

Bartle	Bland	Bray	Callahan	Caskey
Cauthorn	Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster	Gibbons
Goode	Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 000

VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bivins	Haywood	Johnson 61	Lawson
Reinhart	Richard	Smith 14		

VACANCIES: 001

The Speaker appointed the following committee to escort His Excellency Governor Bob Holden to the dais: Representatives Cooper (120), Cunningham (86), Portwood, Bearden, Fares, St. Onge, Johnson (90), Ransdall, Harris (23) and Jones.

The Doorkeeper announced the approach of the Honorable Bob Holden, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the assembly in Joint Session.

**STATE OF THE STATE ADDRESS
BY
GOVERNOR BOB HOLDEN**

January 21, 2004

Mr. President, Madam Speaker, Mr. President Pro Tem, Distinguished State Officials, Mr. Chief Justice, Honored Members of the Missouri Supreme Court, Members of the 92nd General Assembly, First Lady Lori Hauser Holden, and my fellow citizens:

I come before you today to discuss the state of our state ... and to reflect on the state of state government and the state of bipartisanship in Missouri.

At a time of great challenge for our nation, both here and abroad, we in Missouri have seen our share of hardship and sacrifice. A great number of our citizens have left home and family in the service of our country, including the brave volunteers who serve in Missouri's National Guard.

That is why I think it's important today to begin with a remembrance of those Missouri citizens who have fallen during Operations Enduring Freedom and Iraqi Freedom. Their sacrifice is a reminder that here in the safety of our capital city, our disagreements should never be characterized as battles, but rather as the actions of a democracy that these soldiers gave their lives defending. And we are forever in their solemn debt.

These are the names of our fallen servicemen, and I'd like to follow this reading with a moment of silence in their honor:

Specialist Jonathan Barnes from Anderson, Missouri. 21 years old.

Sergeant Michael Barry from Kansas City, Missouri. 29 years old.

Specialist Joel Bertoldie from Independence, Missouri. 20 years old.

Sergeant Travis Burkhardt from Edina, Missouri. 26 years old.

Second Lieutenant Benjamin J. Colgan from Aurora, Missouri. 30 years old.

Aviation Electrician's Mate Samuel Patrick Cox from Kansas City, Missouri. 21 years old.

Private First Class Jesse Givens from Springfield, Missouri. 34 years old.

Sergeant Nicolas Hodson from Smithville, Missouri. 22 years old.

Staff Sergeant Jamie Huggins of Hume, Missouri. 26 years old.

Technical Sergeant William Kerwood from Houston, Missouri. 37 years old.

Staff Sergeant Daniel L. Kisling, Jr. of Neosho, Missouri. 31 years old.

Specialist Joshua Neusche from Montreal, Missouri. 20 years old.

Captain Benedict Smith from Monroe City, Missouri. 29 years old.

Private First Class Jeremiah Smith from Odessa, Missouri. 25 years old.

Staff Sergeant Robert Anthony Stever from Springfield, Missouri. 38 years old.

Sergeant Philip J. Svitak of Joplin, Missouri. 31 years old.

Private First Class Adam L. Thomas from LaPlata, Missouri. 21 years old.

And Sergeant Donald Walters from Kansas City, Missouri. 33 years old.

It is with a heavy heart that we remember these young men of Missouri...some of our finest. And we are humbled by their bravery.

For those of us in this chamber, let us respect their sacrifice by putting our own disagreements in proper perspective. In the heat of political debate, it is not uncommon to hear the language of war.

As if partisan politics could be compared to the ultimate sacrifice on a battlefield. It can't. And all of us know that. I call upon each and every one of us to begin anew - to put reason before rancor and to recognize just how fortunate we all are.

Let us look to the families of these heroic soldiers, gathered here in our gallery. We honor you and pledge our unrelenting efforts for shared progress for every citizen of Missouri.

As we head into this new year, we face many difficult questions. But as many of you know, I am an optimistic man.

It is my nature to see the good in people and to seek common ground on difficult questions. So before I address the challenges ahead, let's take a moment to look at the health of our state and the growing strength of our economy.

At a time when our nation is just beginning to emerge from one of the darkest recessions in memory, Missouri is in sound economic condition.

Missouri has a long history in aviation and the airline industry, and our state suffered more than its share of lost airline jobs in the wake of September 11th. But in spite of this setback, our unemployment rate has remained below the national average.

In fact, we have more new businesses than ever before, and we've created a net gain of 30,000 new jobs since my last State of the State address. The rest of the country is losing jobs - 220,000 net lost jobs last year alone.

But we created more jobs in Missouri last year than all but seven states. And, in fact, we created more jobs than any of our surrounding states. We are bucking the national trend, and it's something we should all take great pride in achieving.

Out of all fifty states, we rank fifth in productivity, twelfth for small business startups and we're one of only seven states with a Triple-A bond rating - a significant measure of our state's fiscal health and potential, and of our stewardship of state government.

These have been difficult times. But in the middle of our state's name is the word "our." Not "mine," not "yours," but "our" - as in "our" strength and "our" people. Together, we're all rising above tough times. There have been important issues where we have been able to find common ground.

Support and respect for our veterans is one such example. We should take great pride in the new 200 bed veteran's home in Mt. Vernon and the new wing at the St. Louis Veterans Home, which is nearing completion.

We have also completed two new veterans cemeteries, bringing the total to four. And the Veterans Task Force, created with the help of Lt. Governor Joe Maxwell, has assisted in our efforts to launch one of the most aggressive veterans outreach programs in state history. We've helped over 2,000 veterans receive benefits they didn't know they were entitled to. To me, it's the true fulfillment of public service to be able to give full honors and benefits to those who've served our country.

Working to protect Missouri jobs and support Missouri workers is another important accomplishment of the past year, and I salute everyone in this chamber who has played a role. Speaker Hanaway and President Pro Tem Kinder, we could not have kept the Ford Hazelwood plant in our state without a united effort, and I'm grateful for all that you did in joining me to help protect those 2,600 high-paying jobs.

But in the end, we must also recognize that Ford would not have stayed in Missouri if our workers did not warrant their confidence. Those who work the line held the line.

On the other side of our state, in Kansas City, H&R Block is building their new world headquarters, making a long term commitment to Kansas City and keeping nearly two thousand jobs in-state.

We protected the American Airlines overhaul base and their 1,700 jobs.

And we just recently received word that Ford will build the first hybrid Escape at their Claycomo plant, helping to secure the jobs of 5,500 Missouri autoworkers.

These American Airlines and Ford jobs, in particular, make another important point. Whether it's ensuring the safety of air travelers, or helping build the next generation of environmentally sound vehicles, Missouri workers are entrusted with the safety of families both in the air and on the ground, and there's no one I trust more with the future of Missouri's economy.

There are a number of examples of businesses starting in Missouri, staying in Missouri, or looking to move to Missouri. But I also realize that for a recently laid off worker, these stories of success offer little comfort at a difficult time. But know that as your Governor, I will continue to work tirelessly to strengthen our economy and create 21st century jobs - jobs that build on our native strengths and diversity here in Missouri.

That's why, today, I am calling on the Missouri General Assembly to pass my 2004 Jobs Now plan. By eliminating three outdated tax credits and redirecting the savings to local infrastructure projects, we can put the new revenue to work by putting Missourians to work.

The Jobs Now plan would answer critical needs in our local communities, including waste water systems, industrial parks, and broadband telecommunication systems. It would redirect existing revenue, leverage non-state investments, and is cost-neutral to the budget. Many of these projects are ready to go. Let's pass the Jobs Now plan and get them started.

The future of our state's economy also rests on the promise of new energy and new technologies. By energy, I mean a renewed commitment to ethanol that helps both our corn-producing farmers and our energy-consuming citizens.

And by new technologies, I mean the development of life sciences in both our business and academic communities. Energy and technology can lift up both urban and rural Missouri together.

And as all of you know, this son of Birch Tree believes there's no point in reaching the new frontier if half the family is left behind. That's why I'm proud to announce today a bipartisan effort to fully fund our state's ethanol program.

By working to expand the world market for ethanol and to support our state's ethanol production, we can not only strengthen our farming communities, we can also improve the environment and help lessen our country's dependence on Persian Gulf oil.

Our farmers may have never thought of themselves as having a role in Middle East politics, but let me say this - instead of turning swords into plowshares, we can use plowshares to force down the swords of war. Lowering demand for Persian Gulf oil and removing our soldiers from this cauldron of conflict should be a national imperative, and Missouri farmers can help lead the way.

We are also uniquely positioned in the Midwest to be the leader in developing industrial applications for life sciences. We have a top notch university system at the center of the world's most fertile cropland.

We are home to over one hundred life sciences companies already, placing us in the top third of all states. And, in fact, the Bio-based Manufacturers Association just moved their headquarters from Memphis to St. Louis. They wanted to be closer to what we call the heart of the Bio-Belt.

Whether it's pharmaceuticals, bio-technology, or medical research - life science technologies will create the jobs of tomorrow. And I want Missouri to be...not just the gateway to the West...but also the gateway to the future.

But how do we get there? Community leaders throughout Missouri have all told me the same thing. And I'm certain all of you have heard this message as well.

Whether it's a hospital administrator in St. Joseph, a tool and dye manufacturer in Lee's Summit, a printer in St. Charles, or the owner of a garage in any town in Missouri - they're all saying the same thing.

"Good schools are critical to the success of our business. We need educated workers or we can't compete."

One of those garage owners made the point very clearly. He said, "If you don't believe I need workers with a good education, just lift the hood of your car and look at the engine."

Manufacturers choose communities with an educated workforce. Young doctors and other professionals establish their practices and begin their families in towns with good schools. And companies transferring their workers look for the best schools for their workers' children.

As I've traveled the country promoting Missouri - and some of you have been with me in many of those meetings - wherever we go, we're asked about the quality of our schools and the abilities of our workforce.

In fact, one plant manager in Hannibal told me that his company decides where to expand based largely upon the quality of an area's community college. Our people should take a backseat to no one...I'm proud of our citizens, and I know you are, too. We should never sell their talents short.

But unfortunately...and you knew I was coming to this...last year the talents of our people were indeed sold short.

For the first time in the history of our state, this legislature cut the total education budget by hundreds of millions of dollars and endangered the futures of countless children. Over the last decade, we had been investing in our public schools and getting results.

Our eighth grade students are above the national average in math skills, we have made significant gains in reading proficiency, our ACT scores continue to rise, and we have 176 schools of distinction when measured on our scale of tough standards. More of our students are taking a rigorous curriculum, we've more than doubled the number of nationally certified teachers, and our schools are being held accountable with school report cards.

But after a decade of investment and progress, you passed last year's education cuts twice over my veto with a great flourish of bravado. If last year's education cuts are allowed to stand, all of these gains are in great jeopardy.

There is nothing moral in raising standards and expectations at a struggling school, only to deny the necessary funding. Look at this through a child's eyes - first we encouraged them to dream, then you denied them the means. That's not bravado. That's just cruel.

Those of you on the other side of the aisle chose to defend tax breaks for corporations at the expense of our children's education. And we're already seeing the consequences of your actions.

College tuition is up as much as 20 percent. One thousand four hundred teachers have lost their jobs. Some kindergarten classes have over 30 students, and alternative schools for disruptive students are being shut down. This, of course, leads to more disruption in the classroom and higher dropout rates.

Some of you obviously think there is courage in cutting education funding. But where is the courage in merely shifting the burden onto local property owners?

Where is the courage in forcing your local constituents to raise property taxes to make up the difference?

And where is the courage in siding with gambling and tobacco interests over the welfare of our children in public schools?

Your failure to meet your constitutional obligations has caused the courts to be dragged back into Missouri schools.

Many of you preach the politics of less government. Well, you brought the courts into our classrooms. It's time you take responsibility and help get the lawyers and the lawsuits out.

Let us be frank and realistic about public school funding. Your approach will have the consequence of forcing local property tax increases.

Some in this chamber may live in communities of great means. And as you look out the windows of your home, a small increase in property taxes may not seem like much of a sacrifice. But you are wrong. Every community has those on the margins who are barely surviving - who can hardly afford the property taxes they already pay. Maybe you can't see them from your front window, but they exist all the same.

Many communities will never be able to increase property taxes enough to make up for last year's education cuts.

The ultimate end of your abdication of duty is starvation and consolidation. By starving local communities of education funding, you leave some with no other choice but to shut down schools and deprive those children of opportunity.

You may not see these children from the comfort of your front window. But they exist all the same.

And finally, there are seniors throughout Missouri who cannot afford higher property taxes, even though their hearts are with our schools. They, like my parents and some of yours, sacrificed their entire lives to provide their children with a college education. Often it was an education that they themselves never had.

You may never see these seniors from your window. But they exist all the same. You have asked in this chamber before - “what part of ‘No’ do I not understand?”

Well, I say in return that I will never understand doing real and lasting harm to our children and seniors. I believe our citizens deserve better than that.

Last year, we disagreed on whether Missouri had a spending problem or a revenue problem. Let’s not have that disagreement again. Throughout my years as Governor, I have worked to control spending. I have cut more than 3,000 jobs from state government and over \$1.2 billion in government spending...more than any other Governor in Missouri history.

Missouri is not a free spending state. In fact, we rank 46th in per capita spending and 49th in the average salary of our government employees.

During last year’s budget debate, I accepted every cut you put forward, and still you could not provide me with a balanced budget without devastating education. You cut all the fat you could find, so cutting was clearly not the entire solution.

This year, I will continue my efforts to reduce waste and improve government efficiency. In fact, I have identified another \$100 million in program and service reductions that are part of my overall plan to balance our budget.

But the essence of our problem is unchanged. Yes, we have reached agreement on projected revenues for next year. But they won’t be near enough to repair the damage that you have done to Missouri schools.

If we are to meet our responsibilities to educate our children, we will need additional revenue through the least painful means. I will not rest until we have restored the funding you cut from schools in this state. If you thought this issue was settled, think again.

You already know my plan to raise revenue...increasing the cigarette tax and casino taxes, closing corporate loopholes, and placing a small surcharge on the income tax of the wealthiest 1.4 percent of Missourians.

You’ve heard my plan before. And you have spoken. But the vast majority of Missourians haven’t spoken. Your refusal to allow our citizens to vote on this plan robs them of their voice and of their opportunity to succeed.

I think Missouri is better than that. One way or another, the education cuts you inflicted last year must not stand. I say this not to stand against you...but because I have a duty to stand up for Missouri’s children.

By increasing revenues and closing corporate loopholes, we can restore school funding without a general tax increase. We can add the money necessary to improve our foster care system without a general tax increase.

And we can give modest raises to our state workers - like those who work in foster care or child abuse prevention. Some have not seen a cost of living increase in three years. Keep in mind our state employees are working people who face the same challenges and needs as any other working person, and they deserve our respect. They are not simply expendable boxes on an organizational chart.

Even those professionals that some of you belittle as “middle management bureaucrats” - they keep this complex operation running, and they protect our citizens. State employees are being asked to do more with less every year.

My budget, while providing additional cuts, does give a slight raise to these hard working Missourians, and believe me, when the lives of our most vulnerable are at stake, keeping our best people on the job is not asking too much.

I believe in looking forward. And that is a part of our shared history in Missouri.

As you know, I often speak in these State of the State addresses from the perspective of history. And this year, we celebrate one of our country's most historic events - the two hundredth anniversary of Lewis and Clark's incredible journey. Their exploration of the Missouri River is a truly inspiring tale of heroism and daring. In spite of many obstacles, they pressed forward on their journey west.

But today, I think it is important to honor the heroes of our time...seemingly ordinary people who perform extraordinary service. The soldiers we honored today knew the dangers of their job. But they got up every day, pressed forward, and faced them anyway.

We will never know the true depth of their courage or their fear, but we do know this - we know they will be remembered. And in the memory of those who loved them, they will always be young.

I believe each of us has a calling. For those soldiers, it was defending something larger than themselves.

For our teachers, it's rising to the challenge of shaping our youngest, most vulnerable minds.

For our state workers, it's securing the safety and well-being of our citizens.

And for our citizens, it's helping secure a brighter future for generations to come.

For those of us in this chamber, our calling is simple - we must work together to move Missouri forward.

This is not a battlefield. It's public service. No more talk of war. Let us talk of getting something done for the people of Missouri.

Thank you, God bless you, and may God bless this great state.

The Joint Session was dissolved by Senator Gibbons.

Speaker Hanaway resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 124	-	Representative Jetton
House Resolution No. 125	-	Representative Mayer
House Resolution No. 126	-	Representative Harris (23)
House Resolution No. 127	-	Representative Marsh
House Resolution No. 128	-	Representatives Hanaway and Bearden
House Resolution No. 129	-	Representatives Kuessner and Harris (110)
House Resolution No. 130	-	Representative Wilson (119)
House Resolution No. 131	-	Representative Willoughby

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1175, introduced by Representative Whorton, relating to marine franchise dealers.

HB 1176, introduced by Representatives Guest, Barnitz, Dethrow, Myers, Sander, Quinn, Munzlinger and Hobbs, relating to animal research and production facilities.

HB 1177, introduced by Representatives Guest, Mayer, Townley, Myers, Hobbs, Barnitz and Dethrow, relating to concentrated animal feeding operations.

HB 1178, introduced by Representative Myers, relating to whistleblower protections for physicians.

HB 1179, introduced by Representatives Corcoran, Burnett, Darrough, Kelly (36), Donnelly, Jolly, Kuessner, Swinger, Nieves, Kelly (144), Dusenberg, Smith (118), Sander, Liese and Cunningham (145), relating to a surcharge in criminal cases.

HB 1180, introduced by Representatives Parker and Hilgemann, relating to recording fees.

HB 1181, introduced by Representative Selby, relating to the motor vehicle emissions inspection program.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 12 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1152 through **HB 1174** were read the second time.

Speaker Pro Tem Jetton assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 5, relating to a Missouri vendor payroll deduction, was taken up by Representative Byrd.

Representative Behnen assumed the Chair.

HCR 5 was laid over.

On motion of Representative Crowell, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 132 - Representative McKenna

House Resolution No. 133 - Representatives Dusenberg and Pratt

House Resolution No. 134 - Representative Wilson (42)
House Resolution No. 135 - Representative Ruestman
House Resolution No. 136 - Representatives Wilson (130) and Ruestman
House Resolution No. 137 - Representative Ruestman
House Resolution No. 138 - Representative Whorton
House Resolution No. 139 - Representative Bruns
House Resolution No. 140 - Representative Engler
House Resolution No. 141 - Representative Jones
House Resolution No. 142
 through
House Resolution No. 147 - Representative Crowell

HOUSE CONCURRENT RESOLUTIONS

Representative Yates offered House Concurrent Resolution No. 13.
Representative Jackson offered House Concurrent Resolution No. 14.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 47, introduced by Representatives Engler, Ervin, Crowell, Baker, Avery, Dusenberg, Nieves, Rupp, Purgason, Dixon, Reinhart, Townley, Myers, Angst, Dempsey, Roark, King, Sander, Munzlinger, Moore, Stevenson, Lipke, Davis (19), Stefanick, Willoughby, Phillips, Yates, Lembke, Cunningham (86), Pearce, Cunningham (145), Sutherland, Smith (14), Jetton, Icet, Bivins, Kelly (36), Muckler, Hanaway, Shoemaker and Wood, relating to the prohibition of same-sex marriage.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1182, introduced by Representatives Munzlinger, Myers, Sander, Hobbs, Quinn, Guest, Black, Portwood, Stefanick, Hunter, Goodman, Threlkeld, Dethrow, Wallace, Townley, Lager, Pearce, Wilson (119), Smith (118), Behnen, King, May, Moore, Whorton, Bruns and Sutherland, relating to tax credits.

HB 1183, introduced by Representatives Mayer, Lipke, Bean, Crowell, Kuessner, Hampton, Barnitz, Davis (122), Stevenson, Myers, Engler, Swinger, May, Kingery, Lager, Cooper (120), Dixon, Jetton, Ruestman, Wilson (130), Behnen, Kelly (144), Black and Selby, relating to county law enforcement restitution funds.

HB 1184, introduced by Representatives Mayer, Bean, Kingery, Lipke, Dethrow, Wilson (130), Ruestman, Black and Crowell, relating to classification of counties.

HB 1185, introduced by Representatives Burnett, Johnson (90), Young, Vogt, Lowe, Walsh, Spreng, Jolly, LeVota, Wildberger, Carnahan and Sager, relating to workers' compensation benefits.

HB 1186, introduced by Representative Johnson (47), relating to liquor licenses and permits for caterers.

HB 1187, introduced by Representatives Ervin, Reinhart, Kelly (36), Willoughby, Bishop and Skaggs, relating to park concession stands.

HB 1188, introduced by Representatives Lipke, Goodman, Kingery, Portwood, Dusenberg, Byrd, Mayer and Jetton, relating to the criminal justice system.

HB 1189, introduced by Representatives McKenna, Selby, Spreng, Wildberger, Whorton, Harris (23), Fraser and Sutherland, relating to indoor air quality in schools.

HB 1190, introduced by Representatives Riback Wilson (25), Moore, Baker and Wilson (42), relating to the coordinating board for early childhood.

HB 1191, introduced by Representatives Smith (118), Self, Seigfreid, Pearce, Cooper (120) and Crawford, relating to Pettis County school fund.

HB 1192, introduced by Representatives Schlottach, Myers, Quinn, Munzlinger and Barnitz, relating to state meat inspection authority.

HB 1193, introduced by Representatives Self, Icet, Wilson (119), Stevenson, Hobbs, Viebrock, Taylor, Threlkeld, Cooper (120), Quinn, Cunningham (145), Sander, Smith (118), Smith (14), Dethrow, Angst, Kelly (144), Hanaway, Crowell, Byrd, Portwood, Myers, Jetton and Wright, relating to notaries public.

HB 1194, introduced by Representatives Pearce, Skaggs, LeVota, Muckler, Harris (110), Baker, Kuessner, Henke, Bishop, Donnelly, Selby, Davis (122), Corcoran, Burnett, Darrough, Engler, Schoemehl, Yaeger, Jolly, Shoemyer, Witte, Phillips, Emery, Yates, Wood, Dusenberg, Sutherland, Bough, Ervin, Ruestman, Davis (19), Pratt, Dempsey, Dethrow, Reinhart, Bruns, Kelly (36), Wright, Schaaf and Jetton, relating to billboards.

HB 1195, introduced by Representative Behnen, relating to professional registration.

HB 1196, introduced by Representative Behnen, relating to the Missouri medical malpractice mutual insurance company.

HB 1197, introduced by Representative Behnen, relating to the licensing of surety recovery agents.

HB 1198, introduced by Representative Richard, relating to extraordinary dividends for insurance holding companies.

HB 1199, introduced by Representatives Engler, Schlottach, Bruns, Rupp, Shoemaker and Graham, relating to 911 emergency services.

HB 1200, introduced by Representatives Schaaf, Threlkeld, Cooper (155), Kingery, Bean, Pearce, Page, Holand, Hilgemann, Wilson (42), Stefanick, Schneider, Carnahan and Fraser, relating to seat belts.

HB 1201, introduced by Representatives Dusenberg, Pratt, Yates, Ervin, Wilson (119), Dougherty, Brown, LeVota, Skaggs, Jolly, Baker, Schaaf, Meiners, Burnett, Young, Rector, Phillips, Guest and Bishop, relating to disposal of damaged vehicles.

HB 1202, introduced by Representatives Dusenberg, Wilson (119), Threlkeld, Sutherland, Schaaf, Brown and Dougherty, relating to child safety restraints.

HB 1203, introduced by Representatives Yates, Dempsey, Stevenson, Dusenberg, Baker, Cunningham (86), Ruestman, Pearce, Hobbs and Harris (110), relating to school board approval of tax increment financing.

HB 1204, introduced by Representatives Yates and Johnson (47), relating to certificate of need.

HB 1205, introduced by Representative Yates, for the purpose of repealing expired and outdated sections.

HB 1206, introduced by Representative Jackson, to authorize the conveyance of property owned by the state at the Missouri Eastern Correctional facility in the County of St. Louis to the City of Pacific.

HB 1207, introduced by Representatives Icet, St. Onge, Cunningham (86), Dempsey, Ervin and Myers, relating to levee districts.

HB 1208, introduced by Representative Bland, relating to union organization limitations on private employer use of state funds.

HB 1209, introduced by Representatives Jetton and Crowell, relating to the official state dinosaur.

HB 1210, introduced by Representatives Smith (14), Smith (118), Page, Ruestman, Jetton, Schneider, Bean, Stevenson, Wood, Yates, Sutherland, Davis (19), Munzlinger, Parker, Portwood, Rupp, Pratt, Hunter, Dempsey, Bruns, Lembke, Kingery, Icet, Moore, Hobbs, Roark, Bivins, Villa, Daus, Spreng, El-Amin, Muckler, Threlkeld, Wright, McKenna and Black, relating to a tutoring program for public schools.

HB 1211, introduced by Representatives St. Onge, Schneider, Dempsey, Jackson, Bivins, Icet, Smith (118), Munzlinger, Jetton, Richard, Byrd, Dougherty, Shoemaker, Hobbs, Seigfreid, Engler, Lowe, Hubbard, Harris (23), Walsh and Vogt, relating to unemployment insurance.

HB 1212, introduced by Representative Cooper (120), relating to Missouri adjusted gross income.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 5, relating to a Missouri vendor payroll deduction, was again taken up by Representative Byrd.

Representative Goodman assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

Representative Pearce assumed the Chair.

Speaker Hanaway resumed the Chair.

On motion of Representative Byrd, **HCR 5** was read the third time and passed by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Shoemaker	Smith 118	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Whorton
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Harris 110	Harris 23	Henke
Hilgemann	Hoskins	Hubbard	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schneider	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Hampton	Haywood	Johnson 61
Reinhart	Smith 14			

VACANCIES: 001

Speaker Hanaway declared the bill passed.

Representative Pearce resumed the Chair.

The emergency clause was defeated by the following vote:

AYES: 003

Dusenberg	Pratt	Roark
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NOES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Henke	Hilgemann	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Richard	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bivins	Brooks	Hampton	Haywood
Holand	Johnson 61	Reinhart	Smith 14	

VACANCIES: 001

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 777 - Education

HB 841 - Local Government

COMMITTEE REPORT

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 71

WHEREAS, the New Source Review Program under the Federal Clean Air Act has been seen by some as confusing, in need of clarification and has been the subject of debate over many years; and

WHEREAS, the primary source of confusion involves questions over definitions within the federal regulations, namely "modification", "repair", and "routine maintenance"; and

WHEREAS, further evidence of confusion and lack of objective standards within the federal regulations can be seen in the numerous lawsuits which have been filed in recent years by the Environmental Protection Agency challenging work performed by individuals as violations of the New Source Review Rules; and

WHEREAS, on October 27, 2003, the EPA published a rule that provided some clarification, the Equipment Replacement Provision, 68 C.F.R. Section 61, 248-61, 280; and

WHEREAS, the Equipment Replacement Provision provides a bright line test for determining when the replacement of broken or deteriorating equipment is "routine"; and

WHEREAS, the Equipment Replacement Provision provides states and industry with definitive standards for judging source "modifications"; and

WHEREAS, the state of New York, along with eleven other states, filed suit in an action styled *State of New York, et al v. U.S. EPA*, No. 03-01380 (D.D.C., 2003), to have this new rule declared invalid; and

WHEREAS, it is believed that the new rule provides the clarity with which the regulated community deserves to possess when considering improvements to individual operating facilities; and

WHEREAS, it is believed that the EPA's Equipment Replacement Provision should remain in full force and effect, providing the regulated community with the clarity and objective standards needed to conduct business in an appropriate manner; and

WHEREAS, the Missouri Department of Natural Resources is currently working to adopt new state rules that will comply with the New Sources Review Program under the Federal Clean Air Act on an expedited basis; and

WHEREAS, the availability of state rules that are compliant with the Federal Clean Air Act is vital to the retention and creation of industrial jobs in Missouri; and

NOW, THEREFORE IT BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby urge the validation of the rules as promulgated by the EPA known as the Equipment Replacement Provision set forth in 68 C.F.R. Section 61,248-61,280, so as to provide necessary clarity to the regulated community as to what constitutes routine maintenance and modification; and

BE IT FURTHER RESOLVED that the Missouri House of Representatives commits to join the Motion to Intervene in the lawsuit styled *State of New York, et al v. U.S. EPA*, No. 03-01380 (D.D.C., 2003), in support of the EPA rule.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Avery is no longer a member of the Professional Registration and Licensing Committee.

Representative Ervin has been appointed a member of the Professional Registration and Licensing Committee.

COMMUNICATIONS

January 21, 2004

Mr. Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Steve:

Pursuant to Chapter 105.461, RSMo this letter is an official report that my father, Keith M. Sutherland, serves as a Circuit Court Judge of the 12th District.

In order for me to comply with Chapter 105.461 please publish this report in the Journal of the House.

Sincerely,

/s/ Mike Sutherland

January 21, 2004

Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Clerk:

Per RSMo 105.461 and 105.456, I am informing you that my wife, Ingrid Burnett, is serving on the Board of Directors of the Kansas City Missouri School Board.

Please contact me if you have any questions.

Sincerely,

/s/ John Patrick Burnett
Representative
District 40

The following members' presence was noted: Reinhart and Smith (14).

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, January 22, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Wes Shoemyer, District 9, hereby state and affirm that my vote as recorded on Page 89 of the House Journal for Tuesday, January 20, 2004 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 21st day of January 2004.

/s/ Wes Shoemyer
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 21st day of January in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 22, 2004, 8:15 a.m. Hearing Room 5.

CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, January 26, 2004, 12:00 p.m. Hearing Room 5.

Testimony from the Department of Insurance

BUDGET

Thursday, January 22, 2004, 8:00 a.m. Hearing Room 3.

Presentation of Governor's Budget Recommendations, House Appropriations Staff Presentation.

Committee will reconvene upon adjournment.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Thursday, January 22, 2004, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 1100, HB 1083, HB 1084, HB 1096

EDUCATION

Thursday, January 22, 2004, 8:00 a.m. Hearing Room 4.

Possible Executive Session on HB 1040 and HB 1041.

ETHICS

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 4.

109 Caucus. Executive Session may follow

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, January 22, 2004, Hearing Room 1 upon morning adjournment.

CANCELLED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, January 22, 2004, Hearing Room 7 upon adjournment of both Chambers.

Report of Revision Subcommittee. Oversight program evaluation of Office of Administration, Division of Facilities Management, State Leasing Practices and any other business. AMENDED

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, January 22, 2004, 12:00 p.m. Senate Committee Room 2.

R.C. Wood & Associates.

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.

Presentation by Dr. John Augenblick.

LOCAL GOVERNMENT

Thursday, January 22, 2004, 8:30 a.m. Hearing Room 6. AMENDED

Executive Session.

Public hearings to be held on: HB 795, HB 932, HB 948, HB 950

RULES

Thursday, January 22, 2004, 8:30 a.m. Hearing Room 5.

Executive Session may follow.

Public hearings to be held on: HR 120

TRANSPORTATION AND MOTOR VEHICLES

Thursday, January 22, 2004, Hearing Room 6 upon morning adjournment.

Executive Sessions will be held on: HB 803, HB 946, HB 952, HB 1062,

HJR 45, HB 1105, HB 1106, HB 1107, HB 1111, HB 1113, HB 1119

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 22, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 47

HOUSE BILLS FOR SECOND READING

HB 1175 through HB 1212

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILL FOR PERFECTION

HB 969 - Cooper (120)

HOUSE RESOLUTION

HR 71, (1-21-04) - Townley (112)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 22, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

(Whatever the agenda of our work today, LIFE is a good focus for this morning's invocation)

Let us pray, first, by listening to a verse from the Hebrew Scriptures, the BOOK OF GENESIS.

“The Lord God formed man out of the clay of the ground
and blew into his nostrils the breath of life
and so man became a living being.”
Genesis 2:7

Holy God, Father Eternal, our Creator, however we interpret the scriptures, we who believe in You learn from this verse that You are the Creator of life.

We thank You for our own life. It is our most precious possession. In our families many of us are entrusted with care for the very lives of others. We have accepted this responsibility and are thankful for the love and fulfillment we receive in supporting, nurturing and caring for the very lives of our loved ones.

In our work here, we accept a similar responsibility of supporting and caring for the lives of others. In our family and our work, may our faith cause us to remember that You, the Creator of life, are the Lord of life.

May we and other leaders in our State and across our Nation make plans, develop legislation, and so govern that we always respect You alone as God and as Lord of Life.

You are our God forever and ever. Amen

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as corrected by the following vote:

AYES: 130

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey

Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Harris 110
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Kratky	Lager
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yates	Young	Madam Speaker

NOES: 025

Bishop	Campbell	Carnahan	Curls	Donnelly
Green	Harris 23	Henke	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	Lowe	Meiners
Sager	Schoemehl	Selby	Skaggs	Swinger
Vogt	Walker	Wilson 25	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Hampton	Haywood	Johnson 61
Lawson	Reinhart			

VACANCIES: 001

SPECIAL RECOGNITION

Dr. Jeffrey Dalin, Dr. Ray Storm, Ms. Jan Storm, Dr. Floyd Jones, Jr., Dr. Calvin C. Lee, Dr. Robert Simon, Dr. Bob D. Swartz and Dr. John E. Dietrich were recognized for the creation and implementation of the “Give Kids a Smile” Program and for their lifetime of dedication to the dental profession.

Speaker Pro Tem Jetton assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 148	-	Representative George
House Resolution No. 149	-	Representative Viebrock
House Resolution No. 150	-	Representative Schneider

House Resolution No. 151
through
House Resolution No. 161 - Representative Pratt
House Resolution No. 162 - Representatives Dougherty and Pratt
House Resolution No. 163 - Representative Yaeger
House Resolution No. 164 - Representative Rupp
House Resolution No. 165 - Representative May
House Resolution No. 166 - Representative Corcoran
House Resolution No. 167 - Representative Townley
House Resolution No. 168 - Representative Hubbard
House Resolution No. 169
through
House Resolution No. 174 - Representative Byrd
House Resolution No. 175 - Representative Sager
House Resolution No. 176
and
House Resolution No. 177 - Representatives Wood and Bough
House Resolution No. 178 - Representative Bruns
House Resolution No. 179 - Representative Taylor
House Resolution No. 180
through
House Resolution No. 182 - Representative Crowell
House Resolution No. 183 - Representative Cunningham (145)
House Resolution No. 184 - Representative Bough
House Resolution No. 185 - Representatives Bean and Mayer
House Resolution No. 186
through
House Resolution No. 190 - Representative Yates

HOUSE CONCURRENT RESOLUTION

Representatives Shoemaker, Carnahan, Richard, Stevenson, Bough, Daus and Quinn offered House Concurrent Resolution No. 15.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1213, introduced by Representatives Moore, Lowe, Spreng, Reinhart, Bruns, Whorton, Sutherland, Graham, Walker and Witte, relating to disqualification from jury service.

HB 1214, introduced by Representatives Schaaf, May, Smith (118), Engler, Cooper (155), Page and Holand, relating to the medical imaging and radiation therapy quality assurance act.

HB 1215, introduced by Representatives Engler, Skaggs, Bean, Threlkeld, Angst, Stefanick, Purgason, Nieves, Jetton, Hanaway, Shoemaker, Bruns, Morris, Icet, Wasson, Ransdall, Hubbard, Quinn, Mayer, Jolly, Whorton, LeVota, Burnett, Kratky, Shoemyer, Graham, Donnelly, Young, Johnson (90), Black, Wallace, Crawford, Cooper (155), Bough, Kuessner, Page, Myers and Kingery, relating to escape from commitment.

HB 1216, introduced by Representatives Hilgemann, Boykins, Kratky, Carnahan, Vogt, El-Amin, Johnson (61), Jones, Daus, Hubbard, Villa and Hanaway, relating to compulsory attendance age for public schools.

HB 1217, introduced by Representatives Johnson (47), Curls, Skaggs, Young, Bland, Meiners, Yates, Moore, Bishop, LeVota, Burnett, Jolly, Walker, Willoughby, Sager and Dusenberg, relating to civilian employees retirement system of the police department of Kansas City.

HB 1218, introduced by Representatives Johnson (47), Curls, Skaggs, Young, Bishop, LeVota, Burnett, Bland, Meiners, Yates, Moore, Dusenberg, Jolly, Walker, Willoughby and Sager, relating to civilian employees retirement system of the police department of Kansas City.

HB 1219, introduced by Representatives Seigfreid, Witte, Davis (122), Kelly (36) and Barnitz, relating to unlawful use of weapons.

HB 1220, introduced by Representatives Seigfreid, Henke, Corcoran, Walsh and Davis (122), relating to audits of computerized voting systems.

HB 1221, introduced by Representatives Seigfreid, Walsh and Davis (122), relating to state employee reporting of alleged violations.

HB 1222, introduced by Representatives Schaaf, Holand, Cooper (155), Kingery, Bean, Johnson (47), Reinhart, Graham, Wildberger, Johnson (90), Harris (23), Bland, Page, Fraser, Hampton, Riback Wilson (25), Kratky, Carnahan, Lembke, Campbell, Lowe, Hilgemann and Bruns, relating to health insurance coverage for clinical trials.

HB 1223, introduced by Representatives Ward, Luetkemeyer, Engler, Dempsey, Richard, Vogt, Kratky, Liese, Skaggs, Spreng, Daus, Parker, Pearce and Wagner, relating to the national conference of insurance legislators.

HB 1224, introduced by Representatives Stefanick, Meiners, Ruestman, Cooper (120), Baker, Cunningham (86), Wasson, Schaaf, Stevenson, Schneider, Sutherland, Phillips, Jones, Campbell, Schoemehl and Kratky, relating to interior designers.

HB 1225, introduced by Representative Johnson (47), relating to regulations governing the subdivision of land.

HB 1226, introduced by Representatives Hubbard, Hanaway, Crowell, Jetton, Wilson (42), Page, Hoskins, Cooper (120), Boykins, Mayer, Lembke, Thompson, El-Amin, Walton, Bland, Myers,

Sanders Brooks, Stefanick, Holand, Zweifel, Engler, Byrd, Kelly (36), Bean, Johnson (90), Daus, Muckler, Donnelly, Sager, George, Wildberger, Kratky, Carnahan, Hilgemann, Davis (122), Young and Deeken, relating to a bioterrorism vaccination program for first responders deployed to disaster locations.

HB 1227, introduced by Representatives Dixon, Morris, Stevenson, Taylor, Roark, Viebrock, Wright and Marsh, relating to enterprise zones.

HB 1228, introduced by Representative Byrd, relating to child support enforcement.

HB 1229, introduced by Representatives Cunningham (145), Bough, Barnitz, Wood, Angst, Kuessner, Ransdall, Hampton, Ruestman, Cooper (120), Sutherland, Wilson (130), Dethrow, Nieves, Purgason, Byrd and Mayer, relating to torts and actions for damages.

HB 1230, introduced by Representatives Schneider and Deeken, relating to nonhospital certificates of need.

HB 1231, introduced by Representatives Ervin, Richard, Lembke, Sutherland, Cooper (120), Stevenson, Baker, Angst, Threlkeld, Roark, Dethrow, Dixon, Dusenberger, Moore, Dempsey, Bearden, Luetkemeyer, Brown and Behnen, relating to the department of insurance dedicated fund.

HB 1232, introduced by Representatives Dixon, Ervin, Pearce and Luetkemeyer, relating to fire insurance.

HB 1233, introduced by Representatives Dixon, Morris, Stevenson, Taylor, Ruestman, Engler, Marsh, Wasson, Goodman, Holand, Roark, Luetkemeyer, Richard, Johnson (47) and Angst, relating to subrogation rights of public entities.

HB 1234, introduced by Representatives Willoughby, Wildberger, Skaggs, Young, Burnett, Walsh, Carnahan, Whorton, Jolly, George, Donnelly, Darrough, Witte, Vogt and Sanders Brooks, relating to low-income utility customers.

HB 1235, introduced by Representative Schaaf, relating to a sales tax for museums in certain counties.

HB 1236, introduced by Representatives Walker, Jolly, Curls, Wilson (42), Hilgemann, Darrough, Corcoran, El-Amin, Meiners, Riback Wilson (25), Whorton, Campbell, Vogt and Ransdall, relating to payday loans.

HB 1237, introduced by Representatives Walker, Skaggs, Curls, Corcoran, Hilgemann, Johnson (47) and Daus, relating to the regulation and licensing of certain professions.

HB 1238, introduced by Representatives Munzlinger, Smith (118), King, May, Guest, Quinn, Behnen, Myers, Hobbs, Bean, Sander and Shoemaker, relating to new generation cooperatives.

HB 1239, introduced by Representatives Spreng, Vogt, Hubbard, Lowe, Campbell, Darrough, Daus, Portwood, Ransdall, Dempsey, Villa, Engler, Pearce, Taylor, Dougherty, Graham, Green, Henke, Jones, Kratky, Liese, McKenna, Meiners, Moore, Muckler, Page, Smith (14), St. Onge, Walsh, Ward, Salva and Hanaway, relating to a sales tax exemption for certain vehicles.

HB 1240, introduced by Representative Dougherty, relating to jury service.

HB 1241, introduced by Representatives Rector, Emery, Viebrock, Taylor, Schlottach, Richard, Wasson, Hunter, LeVota, Skaggs, Lowe, George, Page, Wilson (130), Shoemaker, Bough, Willoughby, Stevenson, Kratky, Wood, Bishop, Cunningham (145), Wallace, Dixon and Sager, relating to predetermination of prudence and ratemaking principles for infrastructure investments by utilities.

HB 1242, introduced by Representatives Fares, Bivins, Schaaf, Wallace, Morris, Sander, Kingery, Parker, Davis (122), McKenna, Carnahan, Davis (19), Walsh, Byrd, Wilson (130), Ruestman and Schlottach, relating to community college transfer credit.

HB 1243, introduced by Representatives Lipke and Engler, relating to the role of the court and jury in sentencing.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 47 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1175 through **HB 1212** were read the second time.

HOUSE RESOLUTION

HR 71, relating to the Federal Clean Air Act, was taken up by Representative Townley.

On motion of Representative Townley, **HR 71** was adopted.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 47 - Children and Families

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1085 - Conservation and Natural Resources
HB 1092 - Elections
HB 1182 - Agriculture

COMMITTEE REPORTS

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 950** and **HB 948**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 4

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant permission for the House Chamber and Third Floor Rotunda area to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on Monday, March 8, 2004, from 11:00 a.m. to 2:00 p.m.

Madam Speaker: Your Committee on Rules, to which was referred **HR 120**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 120

To amend Rules of the House for the 92nd General Assembly, Rules 22, 27, 37, 38, 40, 44, 45, 49, 53, 74, and 96, to read as follows:

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each committee shall be appointed by the Minority Floor Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, **and the chair of the budget committee shall be an ex-officio member of all appropriations committees of the House**, for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said committee. The membership of all standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party.

Committee Hearings

Rule 27. All bills referred to committees shall be considered by giving the [author] **sponsor or handler**, the proponents [and], the opponents, **and those testifying for informational purposes** a reasonable opportunity to be heard. [A committee chair shall not restrict the length of testimony of any witness nor the length of questioning of any witness by a committee member except that the "15 minute rule" shall apply. At the Chair's discretion, the "15 minute rule" may be extended. The "15 minute rule" may only be shortened by the unanimous consent of the committee members present when such waiver is proposed.] Persons addressing the committee [shall] **must** keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. [The time limits set forth in this rule shall apply to witnesses as well as members.] **In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.**

BILLS

Introduced - Manner of Setting Forth
New and Old Material

Rule 37. (a) *When.* Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill after the constitutional deadline for filing bills.

(b) *Manner of Printing.* Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"Explanation - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language." Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

[(c) *Number of Copies.* Each bill shall be submitted in triplicate.]

Number Of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate[; provided however, it shall never be less than 500].

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "do not pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the [author] **sponsor or handler** of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table.

Consent Calendar

Rule 44. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or contains penalty provisions, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for [Taking up] Referring Senate Consent Bills to Committee.* No Senate consent bills [may be taken up after 6:00 p.m.] **shall be referred to committee after the close of the legislative day** on the first Thursday [following the third Monday] in April.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. **House committee amendments and House committee substitutes to Senate consent bills shall be voted on by the House before the vote to Third Read and Pass.**

AMENDMENTS AND SUBSTITUTES

Rule 45. (a) *In Writing.* Proposed amendments must be reduced to writing. Every amendment shall be read in its entirety by the clerk unless it has been distributed in advance, the amendment's sponsor requests waiver of the reading, and there is no objection to the request. An amendment shall be considered to have been distributed in advance if, before it is offered, it has been placed on the members' desks in paper form. Every amendment that exceeds two pages in length must be distributed in advance unless the amendment's sponsor requests waiver of the distribution, and there is no objection to the request. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of a substitute, to which one amendment may be offered. **When an amendment**

is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill or amendment may be withdrawn by the sponsor before amendment or decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *House Substitutes and Committee Substitutes Treated as Original.* A House committee substitute and any House substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* A House substitute must be distributed to the members at least one legislative day prior to its consideration by the House. A House amendment which, in the opinion of the Speaker, is in reality a House substitute, must be distributed in the same manner as a House substitute.

(e) *One House Substitute at a Time.* Only one House substitute shall be in order at one time; provided however, that if a member has previously distributed a different House substitute, an explanation of the alternative House substitute shall not be subject to a point of order that such explanation is not germane to the pending House substitute then under consideration.

(f) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(g) *Appropriations Bills.* **1. No amendment to the first 12 appropriations bills of the state budget constituting the operating budget of the state shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills as reported from the Committee on Budget. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in any other of the twelve bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.**

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the first 12 House appropriations bills of the state budget constituting the operating budget of the state only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Committee Substitute or House Substitute of the state budget constituting the operating budget of the state shall be adopted until all amendments to the first 12 House appropriations bills or substitute have been disposed of.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 49. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively[, or amended,] by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Motion for [Final] Passage

Rule 53. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Division of Questions

Rule 74. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. **When a question has been divided, Rule 83 shall apply to all parts collectively as though no division had occurred.**

Ascending the Dais

Rule 96. No person shall ascend to the Dais without first being recognized to do so by the Speaker. **The Speaker may invite any person to ascend the dais.**

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 946**, **HB 1106** and **HB 952**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1105**, **HB 1062**, **HB 1111**, **HB 1113** and **HB 1119**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 30**.

SENATE CONCURRENT RESOLUTION NO. 30

BE IT RESOLVED by the Senate of the Ninety-second General Assembly, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Ninety-second General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that she has compared the same with the original rolls in her office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninety-second General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

In which the concurrence of the House is respectfully requested.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, January 26, 2004.

AFFIDAVITS

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of January 2004.

[illegible]

Subscribed and sworn to before me this 22nd day of January in the year 2004.

/s/ Pattie Parris

Attest: /s/ Joan Branson
Clerk

I, State Representative Ron Richard, District 129, hereby state and affirm that my vote as recorded on Pages 99 and 100 of the House Journal for Wednesday, January 21, 2004 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of January 2004.

[illegible]

Subscribed and sworn to before me this 22nd day of January in the year 2004.

/s/ Pattie Parris

Attest: /s/ Joan Branson
Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 28, 2004, 2:30 p.m. Hearing Room 4.

Testimony from the Department of Natural Resources.

APPROPRIATIONS - EDUCATION

Tuesday, January 27, 2004, 8:00 a.m. Hearing Room 1.

Testimony provided by the Department of Elementary and Secondary Education.

Will possibly reconvene at 2:30 p.m.

APPROPRIATIONS - EDUCATION

Wednesday, January 28, 2004, 8:00 a.m. Hearing Room 1.

Testimony provided by the Department of Elementary and Secondary Education.

Will possibly reconvene at 2:30 p.m.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 26, 2004, 2:00 p.m. Hearing Room 7.

Office of Administration and Statewide Leasing.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 27, 2004, 2:30 p.m. Hearing Room 7.

Public testimony from the Office of Administration and Statewide Leasing. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 28, 2004, 2:30 p.m. Hearing Room 7.

Office of the State Auditor, Office of Administration and Statewide Leasing.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, January 26, 2004, 12:00 p.m. Hearing Room 5.

Testimony from the Department of Insurance.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 27, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation, and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 28, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation, and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 29, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation, and Economic Development.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, January 27, 2004, Hearing Room 3 upon morning adjournment.

Executive Session may follow.

Public hearings to be held on: HB 1100, HB 1083

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 3.

Executive Session may follow.

Public hearings to be held on: HB 1055, HB 979, HB 1060, HB 1052, HB 1053

ELECTIONS

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1098, HB 949, HB 1087

ETHICS

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 4.

109 Caucus. Executive Session may follow.

FINANCIAL SERVICES

Tuesday, January 27, 2004, 12:00 p.m. Hearing Room 6.

Executive Session may follow.

Public hearings to be held on: HB 904, HB 959

JOINT INTERIM COMMITTEE ON EDUCATION

Monday, January 26, 2004, 11:30 a.m. Hearing Room 7.

Presentation by Dr. John Augenblick.

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, January 27, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 869, HB 955

SENIOR SECURITY

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 6.

Executive Session will be held on: HB 898

SMALL BUSINESS

Wednesday, January 28, 2004, Hearing Room 3, 1:00 p.m. or upon adjournment.

Office of Administration and Department of Transportation will be present to answer questions regarding MBE/WBE/DBE Certification.

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, January 27, 2004, 6:00 p.m. Hearing Room 2.

Executive Session may follow.

Public hearings to be held on: HB 1129, HCR 8

TAX POLICY

Tuesday, January 27, 2004, 12:00 p.m. Hearing Room 7.

Executive Session may follow.

Public hearings to be held on: HB 973, HB 971, HB 958, HB 774

TRANSPORTATION AND MOTOR VEHICLES

Monday, January 26, 2004, 2:00 p.m. Hearing Room 7.

Executive Session will be held on: HJR 45

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 26, 2004

HOUSE BILLS FOR SECOND READING

HB 1213 through HB 1243

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HB 969 - Cooper (120)
- 2 HCS HB 946, 1106 & 952 - Crawford (117)
- 3 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)

HOUSE BILL FOR PERFECTION - CONSENT

(1-26-04)

HCS HB 950 & 948 - Mayer (159)

SENATE BILL FOR SECOND READING

SCS SB 1003

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04) - Lembke (85)
- 2 HR 120, (1-22-04) - Crowell (158)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 26, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Creator of all things, it is written, "In times of difficulty, may the Lord respond to your cry, may the Lord keep you safe from harm." You Lord, indeed, are a very present help in times of difficulty.

May You grant our heart's desire and fulfill our plans. May You send help from Your heavenly abode and strengthen us in this hour. May we know Your great peace.

O Lord, we are all too aware of our own human weaknesses when our own doings, callings, efforts, or sincere goals are called into question. Help us to overcome these weaknesses.

Now may Your grace rest and abide with us all.

In Your Son's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

Representative Crowell suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke

Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Carnahan	Jones	Purgason	Townley
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VACANCIES: 001

The Journal of the ninth day was approved as printed.

HOUSE RESOLUTION

Representative Morris offered House Resolution No. 196.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 191	-	Representative Shoemaker
House Resolution No. 192	-	Representatives Fraser, Donnelly and Fares
House Resolution No. 193	-	Representative Walton
House Resolution No. 194	-	Representative Hubbard
House Resolution No. 195	-	Representative Bough
House Resolution No. 197	-	Representative Pratt
House Resolution No. 198		
and		
House Resolution No. 199	-	Representative Pearce
House Resolution No. 200	-	Representative Bland
House Resolution No. 201		
and		
House Resolution No. 202	-	Representative Johnson (61)
House Resolution No. 203	-	Representative Riback Wilson (25)

House Resolution No. 204
and

House Resolution No. 205 - Representative Cunningham (145)
House Resolution No. 206 - Representatives Jolly, Meiners and Sager
House Resolution No. 207 - Representative Vogt

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1244, introduced by Representatives Dempsey, Spreng, Zweifel, Hanaway, Smith (14) and Corcoran, relating to the Missouri-St. Louis metropolitan airport authority.

HB 1245, introduced by Representatives Schlottach and Kelly (36), relating to licensing of peace officers.

HB 1246, introduced by Representatives Portwood and Stefanick, relating to chiropractors and their keeping of medical records.

HB 1247, introduced by Representatives Cunningham (86) and Stefanick, relating to the telemarketing no-call list.

HB 1248, introduced by Representatives Cunningham (86), Sander, Dusenberg, Dixon and Bivins, relating to personal records with unique identifiers.

HB 1249, introduced by Representatives Cunningham (86), Jetton and Bivins, relating to campaign finance reports and complaints.

HB 1250, introduced by Representatives Cunningham (86) and Phillips, relating to workers' compensation insurance.

HB 1251, introduced by Representatives Jolly, Willoughby, LeVota, Page, Bringer, Harris (110), Selby, Engler, Wood, Meiners, Kelly (36) and Walker, relating to the crime of driving while intoxicated.

HB 1252, introduced by Representative Lawson, relating to a fee on nonparticipating manufacturer cigarettes.

HB 1253, introduced by Representative Luetkemeyer, relating to insurance.

HB 1254, introduced by Representative Bland, relating to used motor vehicle dealer practices.

HB 1255, introduced by Representative Bland, relating to the emancipation day commission.

HB 1256, introduced by Representative Jetton, relating to the state library.

HB 1257, introduced by Representative Campbell, relating to gaming.

HB 1258, introduced by Representative Cooper (155), relating to portable chemical tests.

HB 1259, introduced by Representative Threlkeld, relating to the licensure of motor vehicle dealers and manufacturers.

HB 1260, introduced by Representative Sander, relating to the courts of record of Randolph County.

HB 1261, introduced by Representatives Smith (14), Vogt, Smith (118), Lowe, Johnson (47), Yates, Jones and Villa, relating to Sunday alcohol sales.

HB 1262, introduced by Representatives Wildberger, Shoemyer, Kratky, Spreng, Darrough, Corcoran, Selby, Ward, Dougherty, Wilson (42), Bland, Muckler, Kelly (36) and Meiners, relating to publicly-financed projects.

HB 1263, introduced by Representatives Wildberger, Ward, Kelly (36), Burnett, Sanders Brooks, Harris (110), Bland, Whorton, Jones and Meiners, relating to contributions to child advocacy centers.

HB 1264, introduced by Representatives Wildberger, Selby, Ward, Kelly (36), Dougherty, Burnett, Sanders Brooks, Sager, Bland, Bruns, Jones, Darrough, Walker, Wilson (42), Daus, Whorton and Meiners, relating to the statute of limitation for certain crimes.

HB 1265, introduced by Representatives Wildberger, Bough, Ward, Dougherty, Walker, Donnelly and Meiners, relating to restrictions and limitations on campaign contributions.

HB 1266, introduced by Representatives Wildberger, Selby, Jolly, Ward, Kelly (36), Boykins, Bruns, Dougherty, Burnett, Sanders Brooks, Jones, Darrough, Wilson (42), Sager, Bland, Daus, Whorton, Bishop, Donnelly, Muckler, Meiners and Carnahan, relating to retirement benefits for firefighters.

HB 1267, introduced by Representatives Cooper (120), Dempsey and Pratt, relating to tobacco product manufacturers.

HB 1268, introduced by Representatives Smith (118), Yates, Smith (14), Roark, Lembke, Deeken, Luetkemeyer, Dethrow, Johnson (47), Pearce, Hunter, Bough, Wilson (119), Angst, Dempsey, Ervin, Wilson (130), Baker, Crowell, Hobbs, Wood, Dixon, Morris, Munzlinger, Stevenson, Schaaf, Engler, Ruestman, Mayer, King, Stefanick, Myers, Portwood, Black and Sutherland, relating to employees.

HB 1269, introduced by Representatives Smith (118), Bough, Ruestman, Dixon, Hobbs, Reinhart, Sutherland, Dusenberger, Holand and Smith (14), relating to statutory revision.

HB 1270, introduced by Representatives Smith (118), Pearce, Schaaf, Yates, Harris (23) and Sander, relating to state purchases.

SECOND READING OF HOUSE BILLS

HB 1213 through **HB 1243** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 1003 was read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 762 - Local Government
HB 764 - Crime Prevention and Public Safety
HB 770 - Transportation and Motor Vehicles
HB 772 - Tax Policy
HB 773 - Education
HB 779 - Communications, Energy and Technology
HB 780 - Tax Policy
HB 782 - Workforce Development and Workplace Safety
HB 788 - Crime Prevention and Public Safety
HB 789 - Transportation and Motor Vehicles
HB 792 - Professional Registration and Licensing
HB 793 - Crime Prevention and Public Safety
HB 794 - Crime Prevention and Public Safety
HB 796 - Tax Policy
HB 807 - Tax Policy
HB 811 - Job Creation and Economic Development
HB 814 - Transportation and Motor Vehicles
HB 822 - Communications, Energy and Technology
HB 823 - Tax Policy
HB 833 - Tourism and Cultural Affairs
HB 1174 - Health Care Policy
HB 1177 - Agriculture
HB 1207 - Job Creation and Economic Development
HB 1211 - Workforce Development and Workplace Safety
HB 1216 - Education

SPECIAL RECOGNITION

Upon the request of Representative Walt Bivins, the following resolution was read in honor of his father, Walter R. Bivins.

RESOLUTION OF PEARL RIVER BASIN DEVELOPMENT DISTRICT
BOARD OF DIRECTORS COMMENDING
THE LIFE AND PUBLIC SERVICE OF WALTER R. BIVINS

WHEREAS, Walter R. Bivins was appointed a Director of Pearl River Basin Development District by the Board of Supervisors of Hinds County, Mississippi, on November 3, 1973, and continuously served as a Director of the District until his death on January 20, 2004; and

WHEREAS, he served as President of the Board of Directors from 1989 through 1999 and served as Chairman of the Budget and Finance Committee for over ten years; and

WHEREAS, during his thirty-year tenure as Director, his dedication, zeal, compassion and integrity served as a standard for his fellow directors; and

WHEREAS, his long-time experience, insight, and sage wisdom provided not only a historical context for the work of the District, but visionary guidance which continues after his death; and

WHEREAS, his public service extended not only to the work of the Pearl River Basin Development District, but to the work of the Mississippi Employment Security Commission, Hinds Community College, the City of Jackson, and beyond; and

WHEREAS, his unparalleled commitment to public service, the State of Mississippi, and the Pearl River Basin stands as a beacon for all who knew him;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Pearl River Basin Development District does hereby commend the life and public service of Walter R. Bivins and expresses its deep and heartfelt appreciation for his commitment to the Pearl River Basin Development District, the State of Mississippi and its natural resources.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the family of Walter R. Bivins to memorialize the deep respect, admiration, and appreciation expressed by the entire Board.

LETTER OF OBJECTION

January 26, 2004

Steven Davis, Chief Clerk
State Capitol Building, Room 306B
Jefferson City, MO 65101

Dear Mr. Clerk:

We the undersigned members of the House of Representatives pursuant to House Rule 44 (b) would like to have **House Committee Substitute for House Bill Nos. 950 & 948** discharged from the House Consent Calendar for Perfection due to its controversial nature.

Thank you.

Sincerely,

/s/ Jason Crowell (158)

/s/ Chuck Purgason (151)

/s/ Robert Thane Johnson (47)

/s/ Rick Johnson (90)

/s/ Jeff Harris (23)

The following member's presence was noted: Purgason.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, January 27, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, January 27, 2004, 12:00 p.m. Hearing Room 1.
Possible Executive Session.
Public hearings to be held on: HB 981, HB 1182

AGRICULTURE

Wednesday, January 28, 2004, 8:00 a.m. Hearing Room 7.
Executive Session may follow.
Public hearings to be held on: HB 1177

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 28, 2004, 2:30 p.m. Hearing Room 5.
Testimony from the Department of Natural Resources. AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, January 27, 2004, 8:00 a.m. Hearing Room 1.
Testimony provided by the Department of Elementary and Secondary Education.
Will possibly reconvene at 2:30 p.m.

APPROPRIATIONS - EDUCATION

Wednesday, January 28, 2004, 8:00 a.m. Hearing Room 1.
Testimony provided by the Department of Elementary and Secondary Education.
Will possibly reconvene at 2:30 p.m.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 27, 2004, 2:30 p.m. Hearing Room 7.
Public testimony from the Office of Administration and Statewide Leasing. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 28, 2004, 2:30 p.m. Hearing Room 7.
Office of the State Auditor, Office of Administration and Statewide Leasing.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 28, 2004, 8:00 a.m. Hearing Room 3.
Departments of Mental Health, Health, and Social Services.
Review of the Governor's recommendations.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 3.

Departments of Mental Health, Health, and Social Services.

Review of the Governor's recommendations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 27, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation,
and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 28, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation,
and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 29, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation,
and Economic Development.

CHILDREN AND FAMILIES

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 1.

Executive Session may follow.

Public hearings to be held on: HJR 39, HJR 38, HJR 42, HJR 47

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, January 27, 2004, Hearing Room 3 upon morning adjournment.

Executive Session may follow.

Public hearings to be held on: HB 1100, HB 1083

CONSERVATION AND NATURAL RESOURCES

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 5.

Possible Executive Session.

Public hearings to be held on: HB 1085

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 3.

Executive Session may follow. AMENDED

Public hearings to be held on: HB 1055, HB 979, HB 1060, HB 1052

EDUCATION

Wednesday, January 28, 2004, 5:00 p.m. Hearing Room 3.

Continue Hearing on HB 1040. Possible Executive Session on HB 1040.

Executive Session will be held on: HB 1041

ELECTIONS

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 7.
Public hearings to be held on: HB 1098, HB 949, HB 1087

ETHICS

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 4.
109 Caucus. Executive Session may follow.

FINANCIAL SERVICES

Tuesday, January 27, 2004, 12:00 p.m. Hearing Room 6.
Executive Session may follow.
Public hearings to be held on: HB 904, HB 959

HEALTH CARE POLICY

Wednesday, January 28, 2004, 5:00 p.m. Hearing Room 6.
Public hearings to be held on: HB 855
Executive Session may be held on: HB 923

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 6.
Public hearings to be held on: HB 1207

LOCAL GOVERNMENT

Thursday, January 29, 2004, 8:30 a.m. Hearing Room 6.
Executive Session may follow.
Public hearings to be held on: HB 801, HB 802, HB 841, HB 895, HB 989

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, January 27, 2004, 12:00 p.m. Hearing Room 4.
Public hearings to be held on: HB 869, HB 955

SENIOR SECURITY

Tuesday, January 27, 2004, 5:00 p.m. Hearing Room 6.
Executive Session will be held on: HB 898

SMALL BUSINESS

Wednesday, January 28, 2004, Hearing Room 3, 1:00 p.m. or upon adjournment.
Office of Administration and Department of Transportation will be present
to answer questions regarding MBE/WBE/DBE Certification.

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, January 27, 2004, 6:00 p.m. Hearing Room 2.
Executive Session may follow. AMENDED
Public hearings to be held on: HB 1129, HB 1074, HCR 8

TAX POLICY

Tuesday, January 27, 2004, 12:00 p.m. Hearing Room 7.

Executive Session may follow.

Public hearings to be held on: HB 973, HB 971, HB 958, HB 774

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 921 and HB 960.

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 27, 2004

HOUSE BILLS FOR SECOND READING

HB 1244 through HB 1270

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HB 969 - Cooper (120)
- 2 HCS HB 946, 1106 & 952 - Crawford (117)
- 3 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 4 HCS HB 950 & 948 - Mayer (159)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 120, (1-22-04, Pages 124-128) - Crowell (158)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 27, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Let us pray.

“Frost and Chill, bless the Lord.
Ice and snow, bless the Lord.”
(Daniel 3:69-70)

Almighty God, the disagreeable weather, which You allow, speaks to us of the many things we cannot control.

We use Your gifts of ingenuity and human creation to work with the powerful forces of nature.

Through this dimension of our lives You remind us of the necessity to work with other forces and even people in our lives who are beyond our control.

By Your grace, may we use the ingenuity and the wisdom gained from experience to work with those who place in our path opposition as forceful as that of the weather outside.

O Lord our God, bless our efforts to work with all others so that our convictions of truth and justice and necessity might contribute to the maximum in creating a Spring thaw that increases the common good of all our people.

We pray to You who are our God forever and ever. Amen.

Speaker Hanaway introduced the Tri Citians from the Tri City Christian School in Independence, Missouri.

The following individuals, directed by Pastor Jim Bishop and accompanied by Miss Molly Ijames, performed inspirational and spiritual numbers for the members of the House of Representatives: Amanda Danforth, Christina Shelp, Gloria Hamilton, Lauren Holiday, Marissa Gleason, Emily Shelp, Heather Anderson, Jennifer Krueger, Nina Kitmiller, Ashley Petrillo, Irena Totta, Ruth Kuykendall, Kelsie Huesinger, Kyle Alexander, Joey Hoelscher, Austin Cook, Ben Totta, Andy Wilson, Chad Williams, Travis Logan, Tyler Dowland, Chet Parry, Michael Collison and David Ohara.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Breann Hackward, Shanna Lewis, Sammy Braden and Paul Messmer, Jr.

The Journal of the tenth day was approved as printed.

SPECIAL RECOGNITION

The University of Missouri Tigers Football Team was introduced by Representatives Hobbs, Riback Wilson (25), Graham, Harris (23) and Shoemyer.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 208 - Representatives Richard, Stevenson, Hunter and Ruestman

House Resolution No. 209

and

House Resolution No. 210 - Representative Moore

House Resolution No. 211 - Representative Threlkeld

House Resolution No. 212 - Representatives Hobbs, Graham, Riback Wilson (25),
Harris (23) and Shoemyer

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1001, introduced by Representative Bearden, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1014, introduced by Representative Bearden, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2004.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1271, introduced by Representatives Engler, Crawford, Lager, Kuessner, Hunter, Deeken, Quinn, Hobbs, Shoemaker, Bruns, Schaaf, Whorton and Moore, relating to minimum pay for certain corrections employees.

HB 1272, introduced by Representatives Schaaf, Cooper (155), Threlkeld, Lawson, Engler, Holand, Pearce, Smith (118), Emery, Kingery, Bean, Wildberger, Nieves, Wallace, Carnahan, St. Onge, Angst, Richard, Page and Hanaway, relating to the Missouri catalog of assistance programs.

HB 1273, introduced by Representatives Davis (122) and King, relating to department of transportation employees' annual leave.

HB 1274, introduced by Representatives Parker, Hubbard, Schneider, Cunningham (86) and Reinhart, relating to domestic violence.

HB 1275, introduced by Representatives Wilson (130), Ruestman, Moore, Emery, Richard, Stevenson and Hunter, to authorize the conveyance of property owned by the state in the county of Newton to the city of Neosho.

HB 1276, introduced by Representatives Sander, Munzlinger, Myers, Cunningham (145), Roark, Purgason, Bean, King, Quinn, Bringer, Harris (110), Seigfreid, Barnitz, Hobbs, Wilson (119) and Kelly (144), relating to air pollution.

HB 1277, introduced by Representatives Townley, Dethrow, Munzlinger, Ward, May, Harris (110), Bean, Hobbs, Myers, Whorton and Bough, relating to hazardous waste management.

HB 1278, introduced by Representatives Luetkemeyer, Sutherland, Wood, Wilson (130), Hobbs, Dixon, Ervin, Smith (118), Engler, Richard, Moore and Hanaway, relating to insurance.

HB 1279, introduced by Representatives Shoemyer, Ward, Henke, Wildberger, LeVota, Hobbs, King, Haywood, Graham, Sanders Brooks, Daus, Bean, Ransdall and Kuessner, relating to hand fishing.

HB 1280, introduced by Representatives Kingery, Crawford, Lipke, May, Engler, Nieves, Dethrow, Mayer, Bean, Myers, Stevenson, Walker, Swinger and Bishop, relating to registration of commercial motor vehicles.

HB 1281, introduced by Representatives Zweifel, Bishop, Wildberger, Page, Darrough, George and Corcoran, relating to school bus transportation safety.

HB 1282, introduced by Representative Green, relating to privatization contracts.

HB 1283, introduced by Representative Viebrock, relating to designation of the Korean War Veterans' Freeway.

HB 1284, introduced by Representative Engler, relating to salvage motor vehicles.

HB 1285, introduced by Representative Engler, relating to car rental insurance.

SECOND READING OF HOUSE BILLS

HB 1244 through **HB 1270** were read the second time.

PERFECTION OF HOUSE BILL

HB 969, relating to income tax: intangible property, was taken up by Representative Cooper (120).

Representative Smith (118) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 969, Page 4, Section 143.435, Lines 65-71, by deleting all of said lines and inserting in lieu thereof the following:

“4. With respect to any issue relevant to ascertaining the tax liability of a taxpayer this section shall be strictly construed against the taxing authority in favor of the taxpayer. The director of revenue shall have the burden of proof with respect to any factual issue relevant to ascertaining the liability of a taxpayer only if:

(1) The taxpayer has produced evidence that establishes there is a reasonable dispute with respect to the issue; and,

(2) The taxpayer has adequate records of its transactions and provides the department of revenue reasonable access to these records.”.

Representative Munzlinger assumed the Chair.

On motion of Representative Smith (118), **House Amendment No. 1** was adopted.

Representative Selby offered **House Amendment No. 2**.

Representative Goodman raised a point of order that **House Amendment No. 2** is not germane to the bill.

Representative Munzlinger requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Pro Tem Jetton assumed the Chair.

Representative Davis (122) offered **House Amendment No. 3**.

Representative Goodman raised points of order that **House Amendment No. 3** amends previously amended material, is not germane and goes beyond the scope of the bill.

The Chair ruled the points of order well taken.

Representative Munzlinger resumed the Chair.

Representative Burnett offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 969, Page 4, Section 143.435, Line 71, by adding the following at the end of said line:

“5. The receipt by a related entity as defined herein of any interest expenses and costs or any intangible expenses and costs from any Missouri entity shall create an accounts receivable in the State of Missouri for the non-Missouri related entity.”.

Speaker Pro Tem Jetton resumed the Chair.

Representative Munzlinger resumed the Chair.

Representative Burnett moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Carnahan	Corcoran
Crawford	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	Fraser	George	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Ice	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	LeVota	Liese	Lowe
McKenna	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

NOES: 081

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Cooper 120	Crowell	Cunningham 145	Cunningham 86	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Goodman	Guest
Hobbs	Holand	Hunter	Jackson	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor

Threlkeld
Wilson 119
Madam Speaker

Townley
Wilson 130

Viebrock
Wood

Wallace
Wright

Wasson
Yates

PRESENT: 002

Byrd

Fares

ABSENT WITH LEAVE: 008

Avery
Jetton

Campbell
Kelly 144

Cooper 155
Lawson

El-Amin

Graham

VACANCIES: 001

HB 969, as amended, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1190 - Children and Families

HB 1268 - Workforce Development and Workplace Safety

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following escort committee to act with a like committee from the House pursuant to **HCR 3**: Senators Bray, Callahan, Cauthorn, Days, Dolan, Griesheimer, Kennedy, Russell, Scott and Stoll.

COMMUNICATION

January 21, 2004

Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Clerk:

Per RSMo 105.461 and 105.456, I am informing you that my wife and I are receiving income in the form of Maintenance Payments from the Department of Social Services as foster parents.

Please contact me if you have any questions.

Sincerely,

/s/ Clint Zweifel
State Representative
District 78

WITHDRAWAL OF HOUSE BILL

January 21, 2004

The Honorable Catherine Hanaway
Speaker of the House
Room 308, State Capitol Building
Jefferson City, MO 65101

Dear Madam Speaker,

I respectfully request to withdraw **HB 1256**, dealing with the creation of the Secretary of State's Council on Library Development and publishing guidelines for state agencies. Thank you for your consideration.

Sincerely,

/s/ Rod Jetton
Speaker Pro Tem

The following members' presence was noted: Cooper (155) and Lawson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, January 28, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 28, 2004, 8:00 a.m. Hearing Room 7.
Executive Session may follow.
Public hearing to be held on: HB 1177

AGRICULTURE

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 7.
Executive Session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 28, 2004, 2:30 p.m. Hearing Room 5.
Testimony from the Department of Natural Resources. AMENDED

APPROPRIATIONS - EDUCATION

Wednesday, January 28, 2004, 8:00 a.m. Hearing Room 1.
Testimony provided by the Department of Elementary and Secondary Education.
Will possibly reconvene at 2:30 p.m.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 28, 2004, 2:30 p.m. Hearing Room 7.

Office of the State Auditor, Office of Administration and Statewide Leasing.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 28, 2004, 8:00 a.m. Hearing Room 3.

Departments of Mental Health, Health, and Social Services.

Review of the Governor's recommendations. CANCELLED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 3.

Departments of Mental Health, Health, and Social Services.

Review of the Governor's recommendations. CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, January 28, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation,
and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 29, 2004, 8:15 a.m. Hearing Room 5.

Testimony from the Departments of Insurance, Labor, Transportation,
and Economic Development.

CONSERVATION AND NATURAL RESOURCES

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 5.

Possible Executive Session.

Public hearing to be held on: HB 1085

EDUCATION

Wednesday, January 28, 2004, 5:00 p.m. Hearing Room 3.

Continue Hearing on HB 1040. Possible Executive Session on HB 1040.

Executive Session will be held on: HB 1041

EDUCATION

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 4.

Possible continuation of hearing on HB 1040.

Executive Sessions may be held on: HB 1040, HB 1041

HEALTH CARE POLICY

Wednesday, January 28, 2004, 5:00 p.m. Hearing Room 6.

Public hearing to be held on: HB 855

Executive Session may be held on: HB 923

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 6.

Public hearing to be held on: HB 1207

JUDICIARY

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 1.

General discussion on Trust and Estate Laws.

Public hearings to be held on: HB 1036, HB 994

Executive Session will be held on: HB 798

LOCAL GOVERNMENT

Thursday, January 29, 2004, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

Public hearings to be held on: HB 801, HB 802, HB 841, HB 895, HB 989

SMALL BUSINESS

Wednesday, January 28, 2004, Hearing Room 3, 1:00 p.m. or upon adjournment.

Office of Administration and Department of Transportation will be present to answer questions regarding MBE/WBE/DBE Certification.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 7.

Public hearing to begin at 1:00 p.m.

Public hearings to be held on: HB 921, HB 960

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, January 28, 2004, 12:00 p.m. Hearing Room 4.

Executive Session may follow. Lunch will be served.

Public hearings to be held on: HB 1268, HB 1211

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 28, 2004

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1001 and HB 1014

HOUSE BILLS FOR SECOND READING

HB 1271 through HB 1285

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HB 969, as amended - Cooper (120)
- 2 HCS HB 946, 1106 & 952 - Crawford (117)
- 3 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 4 HCS HB 950 & 948 - Mayer (159)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 120, (1-22-04, Pages 124-128) - Crowell (158)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWELFTH DAY, WEDNESDAY, JANUARY 28, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, in Your Word, You have said, "I have directed you in the way of wisdom, I have led you in upright places." So we take hold of Your instruction, guarding it in our hearts, for it is our life.

May our heart's purpose remain clear, our eyes fixed on what is true, honorable, and right and may we not mistake excitement for growth or sentimental feelings for true commitment to our vocation.

So, with Your help, we enter this day with no doubt of our abilities, no fear of making decisions that affect us all, and with patient expectation of the appropriate outcome.

Now may the grace of our Lord and the love of God be with us all.

In Your Son's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Marc-Arthur Estelon, Daniel Moran, Ricardy Pierre and Alba Duarte.

The Journal of the eleventh day was approved as corrected.

SPECIAL RECOGNITION

Tara Sparks, Missouri Teacher of the Year, was introduced by Representative Vogt and recognized as an Outstanding Missourian.

Ms. Sparks addressed the House.

Sergeant Ronald Buxton was introduced by Representatives Ransdall, Luetkemeyer, Cooper (155) and Jackson, and recognized as an Outstanding Missourian.

Representative Crowell moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 149

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker	Burnett	El-Amin	King
Lawson	Lowe	Miller	Moore	Salva
Willoughby	Madam Speaker			

VACANCIES: 001

ESCORT COMMITTEE

The Speaker appointed the following committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the dais: Representatives Byrd, Dempsey, Quinn, Shoemaker, Smith (118), Self, Darrough, Sager, Thompson and Swinger.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Maxwell, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 29

Bartle	Bland	Bray	Callahan	Caskey
Cauthorn	Childers	Coleman	Days	Dolan
Dougherty	Foster	Gibbons	Goode	Griesheimer
Kennedy	Kinder	Klindt	Loudon	Mathewson
Nodler	Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Champion	Clemens	Gross	Jacob	Quick
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VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs

Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	El-Amin	King	Lawson	Mayer
Willoughby	Madam Speaker			

VACANCIES: 001

The Speaker appointed the following committee to escort Henry Hungerbeeler, Director of the Missouri Department of Transportation, to the dais: Representatives Pearce, Smith (14), Munzlinger, Dethrow, Angst, Ruestman, Kuessner, Henke, Hubbard and LeVota.

The doorkeeper announced the approach of Director Hungerbeeler, who was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the assembly in Joint Session.

STATE OF TRANSPORTATION ADDRESS

by
Henry Hungerbeeler
January 28, 2004

Governor Holden, Lieutenant Governor Maxwell, Speaker Hanaway, President Pro Tem Kinder, Distinguished State Officials, Chief Justice White, Honored Members of the Missouri Supreme Court, Members of the 92nd General Assembly, Members of the Missouri Highways and Transportation Commission, MoDOT Employees and Citizens of Missouri:

It is my great honor to stand before you today on this historic occasion. Searching as far back as House and Senate journals have been printed, which is about 70 years, we have been able to identify no other director of a state agency given the humbling opportunity to address a joint session of the Missouri General Assembly.

I thank you for allowing me to come before this esteemed body and address the important issue of our transportation system.

While most people think of MoDOT as dealing primarily with roads and bridges, we are a full-service department of transportation, and must address our responsibilities to all of our citizens. Therefore, we deal with public transportation, aviation, port development, and both freight and passenger railway service.

And in each of those areas and others for which we are responsible, we see the need for more resources to provide the mobility our citizens need.

As we work together to address our transportation challenges, we should keep three broad principles in mind:
- Soundness, Safety and Support.

Soundness

The soundness of your transportation system has been called into question, as has the soundness of your department of transportation.

Distinguished ladies and gentleman, the state of Missouri's transportation system is sound, but not as sound as it needs to be.

Many of our highways are in poor condition...too narrow, or too hilly, or too curving, or have no shoulders, and for safety and economic development we need to make more highways four lanes.

At the same time, bridges that are one step away from being closed, what we call condition three bridges, are becoming unusable faster than we can get money to replace them.

Many citizens sit in long lines during rush hour traffic, wasting both time and money.

Court mandated low flows on our rivers are impacting the movement of water-borne commerce, causing more trucks on highways and a higher transportation cost for farmers.

MoDOT administers state and federal funds for 37 public transportation agencies and 200 specialized programs for the elderly and disabled, but we have a significant need to offer more public transportation options in our large cities and rural areas alike.

Unfortunately, those transportation areas funded from state general revenue have been cut 37 percent since 2002. The result is more than 1.8 million fewer transit trips and the elimination of our port improvement program. The truth is Missouri has not provided the funding necessary to adequately address most of these other modal needs or the larger dollar requirements to repair and rehabilitate highways and bridges while simultaneously constructing much-needed highway projects for economic development and congestion relief.

Our funding situation is dramatically demonstrated by the fact that 25 years ago, 17 percent of Missouri's state budget went to transportation. Now only 7.5 percent of state spending goes toward vital improvements to our highways, bridges, transit services, and other modes of transportation.

Interestingly, if our transportation budget had grown at the same rate as the rest of state government, our system today would be in outstanding condition, and long ago we would have completed projects that people are still waiting for us to schedule.

Though I believe inadequate funding is our biggest problem, I do not come before you today with a specific funding proposal. I am here to present the facts about transportation in Missouri so that state elected officials, working in conjunction with MoDOT and the citizens of this great state, can decide how best to address our inadequate transportation system.

This body has already done much to address the problem, passing legislation dealing with accountability, MoDOT leadership, commission governance, and other issues. MoDOT and the Commission have also made changes.

The Missouri Highways and Transportation Commission has provided a better balance in our spending by shifting more adequate funding to taking better care of the existing system. A year ago the commission changed the funding allocation method to a more objective process that allocates funds to various areas of the state and various categories of spending based on such objective factors as pavement condition, vehicle miles traveled, population, employment, etc.

Changing our method of allocating funds was a wise decision. Nevertheless, we are keenly aware that the state of our transportation system is still not as sound as it needs to be.

The state of your Department of Transportation, however, is sound...not perfect by any means...but good.

An independent Blue Ribbon Panel appointed by the Missouri Highways and Transportation Commission recently recommended that a clear message must be sent indicating, "A new day has dawned at MoDOT." I believe that the new day is well on its way.

Although the department had problems with financial estimates in the past, MoDOT has now established a solid record of sound fiscal practices.

We have reduced staff by approximately 300 people over the last three years. Less than three percent of our budget goes toward administrative costs while we spend 73 percent on construction including building new highways and taking better care of existing roadways. Please note that if our budget were more adequate, that percentage for administrative costs would be even lower, and the percentage spent on construction would be even higher.

We have saved \$53 million over the last three years by streamlining our operations and we expect to save another \$21 million this year. We also saved millions last year by coming within a fraction of a percent on our highway construction cost estimates. Those savings were directed back into building and maintaining highways.

Part of our efficiency comes from our constitutional form of governance...the bipartisan watchdog group of citizens who oversee us. As you know, the Missouri Highways and Transportation Commission is made up of unpaid citizen volunteers who are among the leading members of their communities. Commissioners are appointed by the Governor with approval of the Senate and they conduct business in full view of taxpayers.

This system of transportation oversight and decision-making by members of the public has served the people of Missouri well for more than 80 years by limiting political influence and parochialism in transportation decision-making, and it has become more open to public involvement in recent years than ever before in our history. We should keep the Missouri Highways and Transportation Commission in its current form.

Members of the Commission are here today and will be available in the rotunda following this speech to answer your questions. I applaud their unselfish service to this state and their commitment to providing all Missourians with better transportation options.

MoDOT is scrupulously held accountable through numerous audits each year. The State Auditor reviews our operations on an ongoing basis, as do our internal auditors. Additionally, an independent firm audits us annually. In 2003, they gave MoDOT their highest rating for the fourth straight year and said our financial practices are "as good as it gets."

At the same time, MoDOT employs an inspector general to root out fraud, waste, and abuse and objectively investigate grievances independent of management. An external inspector general position was created by the state legislature last year, and we look forward to working closely with that person. Additionally, we are accountable to the Senate and House Transportation Committees and the Joint Committee on Transportation Oversight. Plus, the Senate Appropriations Committee and House Budget Committee review MoDOT each year.

Most importantly, we are, and want to be, accountable to the people of Missouri. Whether at the ballot box, on the phone, at their computers or attending one of the hundreds of public meetings we hold each year, the citizens of this state have direct input into what we do. We have pledged to listen to them and we are fulfilling that pledge.

We have embarked on a new project planning process that will permit even more public involvement in transportation decisions than ever before. No longer will MoDOT alone make project decisions and inform citizens after the fact. We are committed to having local representatives at the table from the beginning to the end.

MoDOT's construction and maintenance practices are also sound.

In 2003, we completed 268 construction projects, all of which, taken together, were within two percent of cost estimates. This record is part of a four-year trend during which your department of transportation completed projects at a cost that came within one-third of one percent of the estimated cost on a program that totaled more than \$2 billion.

In other words, for the last four fiscal years, we have told you in advance what we were going to do...and we have done it.

Others have confirmed the soundness of our construction practices. The Federal Highway Administration has labeled MoDOT as one of the best transportation agencies among all 50 states at delivering promised highway and bridge improvements at the promised price to taxpayers.

Citizens tell us good visibility on highways is very important to them. They especially want to see highway stripes. We listened, and took action. In 2003, we quietly promised to paint centerline stripes on all roads, and paint edge lines on more roads. We delivered on that promise by putting down 82,000 miles of stripes last year. That's an increase of 13,000 miles.

Our improvements, however, are not limited to highways. In the last 18 months, MoDOT improved aviation safety by installing nine Automated Weather Observation Systems to provide accurate and real time weather information to pilots. Four more are currently under construction.

Our state aviation improvement program is funded through dedicated aviation fuel tax revenue, which is down over 25 percent since 9-11. Despite the funding decrease, MoDOT was able to install additional navigational aids or make runway pavement improvements at nine Missouri airports.

That is a sound record of significant accomplishment, and much of it is in direct response to concerns citizens have expressed to us.

In addition, MoDOT is sound in its commitment to inclusiveness.

MoDOT has been cited as a leader in state government regarding the award of contracts to Minority- and Women-owned businesses. Between 1996 and 2002, the department awarded nearly half a billion dollars in contracts to disadvantaged business enterprises. In 2002, MoDOT contracts with these businesses amounted to approximately 73 million dollars, almost twice as much as in 1996. We are committed to doing even better.

At the same time, we are aggressively leading efforts to increase the number of minorities, females and underemployed and low-income individuals entering the construction industry on which this department is so heavily dependent. We are extremely proud of our active involvement in the St. Louis Construction Prep Center that is preparing members of these groups to succeed in the construction field through training for the work place and for life. Graduates of the center are actively sought out by the construction industry due to the excellent training it provides.

I am honored to have a graduate of the center, Mr. Tyrone Gibbs, here today. With Mr. Gibbs' permission, let me tell you a little bit about him. Mr. Gibbs grew up in three different foster homes and three different boys' homes. He spent 12 years on the streets, which resulted in his being incarcerated on three different occasions. Just one week after his last stint in the state penitentiary, Mr. Gibbs got the news that would change his life. He was accepted to the Construction Prep Center.

Second only to his wife, Barbara, Mr. Gibbs credits the Construction Prep Center with keeping him from continuing down the wrong path in life. Mr. Gibbs' "No Day Off, No Lay Off" attitude allowed him to work 40 hours per week at the center and another 50 hours supporting his family. It also allowed him to advance quickly.

He is now a crew chief - one of only three African-American foremen out of hundreds of carpenters where he works. He hopes to have his own construction company some day. Mr. Gibbs is what the Construction Prep Center is all about. Tyrone and Barbara Gibbs... please stand up and get the recognition you both deserve.

The state of your MoDOT is sound and that is due primarily to one thing - our outstanding workforce. I was proud to serve my country in the United States Air Force for more than 30 years. I can say unequivocally, however, that I have never had the honor to serve with a harder-working, more dedicated group of people than I have at MoDOT.

Throughout our great state, your friends, family and neighbors who work for MoDOT get up early everyday proudly striving for a better, safer transportation system for all Missourians. They toil with limited resources, yet they deliver on the promises we have made to taxpayers.

I am proud to work with “everyday heroes” at MoDOT, some of whom put their lives on the line everyday.

Bill Pappademos works for MoDOT’s Motorist Assist service in St. Louis, a service that cost effectively helps to reduce congestion. On December 8 of last year, Bill looked in his rearview mirror and noticed a vehicle rolling over several times behind him. He carefully stopped and backed up and discovered that the driver, an off-duty police officer, had been thrown from his car and was lying in one of the traffic lanes. Bill placed himself between the seriously injured officer and on coming traffic to protect him until emergency responders could arrive.

When a record number of tornadoes ripped through southwest Missouri in 2003, our employees reacted without hesitation. Maintenance crews from Bolivar in our District 8 region gathered quickly and headed to Stockton, which is in District 7, the night of May 4 following one of the most devastating tornadoes our state has ever experienced. They pulled trees and debris out of the road to allow emergency crews to access victims and to allow motorists to use our highways safely.

We also responded to the human needs of our neighbors during this challenging time. Garland DeWitt, a MoDOT maintenance specialist in Ozark, was working north of Cleaver when he discovered a series of personal items. He recovered family photos, cups from a silver tea set and clothing items for a family who lost a loved one and their home in the storm. This was a priceless discovery for that family.

Heroes also work in the offices of MoDOT. Rebecca Jackson, a MoDOT General Services Manager here in Jefferson City, led efforts to develop a new purchasing method for the department. Her innovative and diligent efforts have saved time and countless taxpayer dollars. This great achievement recently earned her the Distinguished Service Award from the Missouri Association of Public Purchasing.

Bill, Garland and Rebecca are here today. I would like to ask them to stand.

I am so proud to be associated with folks like Bill, Garland and Rebecca. They are typical of everyday heroes who work throughout the Missouri Department of Transportation. Whether they are helping a customer on the phone, clearing snow from our highways, finding ways to save money or risking their life for an injured motorist, MoDOT employees consistently answer the call of duty. Their commitment is sound.

There is one final “everyday hero” I personally could not live without and want you to meet... the “first lady” in my life... my lovely wife, Anne. Her commitment is sound.

Tragically, 68 MoDOT employees have given their lives since 1945 fulfilling their call to duty. Our most recent loss was just a few months ago. On September 30, 2003, Karla Baublitz, a maintenance worker, was repairing mowing equipment several feet from a roadway in Joplin when a driver fell asleep, ran off the road and struck her.

Karla was hard working and well liked by her colleagues. She was dedicated to her MoDOT family, but she couldn’t wait to get home to her own family, which included three children.

MoDOT employees have difficult, sometimes dangerous, jobs and face many challenges. Yet they persevere together in cooperation with the customers they serve, local citizens and our elected officials. I have started to see the positive effects of their determination.

In every county of this state, the good work of MoDOT professionals is turning the tide of public opinion.

Last year, MoDOT officials again embarked on a listening tour of Missouri. We visited cities and towns throughout this beautiful state and heard a familiar refrain, “we love our local MoDOT”. The praise for our district employees and the district engineers who lead them was profuse. And they frequently helped make the point that all of

us in MoDOT are on the same team. Those district engineers are here today. You know them and they are at your service. They, too, will be available in the rotunda to answer questions about transportation in their areas.

As we traveled the state late last year, people said that the MoDOT they know is open to their inquiries and responsive to their concerns. While members of the public don't always get the answers they want, they do get answers in a timely and courteous way.

They also get results. MoDOT employees are dedicated to finding ways to say "yes" more often and to ending the perception that we automatically say "no". While we sometimes have a professional responsibility to say "no", we are working very hard on saying "yes".

Ladies and gentlemen, we are your neighborhood MoDOT. We care about the safety of the people who use our state highways. We care about the elderly and disabled who rely on the transit services we administer. **And we care about providing reliable options in all modes of transportation.**

We realize, however, that we are not perfect and we must constantly strive to improve the way we do business and build credibility with the public. With this thought always at the forefront of our minds, we are taking steps to further improve our effectiveness as an organization.

We are seeking to measure our progress toward goals such as reducing injury and fatal crash rates; increasing the number of highways in good or better condition; reducing the percentage of deficient bridges; alleviating congestion in St. Louis and Kansas City; and avoiding depreciation in the value of our highway system.

We are also measuring the percentage of highway and bridge construction commitments we are meeting within budget, on time and as promised in our 5-year plan. We have high standards in these areas and even higher expectations for meeting our commitments.

All of the goals I have outlined are imperative to rebuilding confidence in MoDOT. We must be diligent in tracking our progress toward them and ultimately achieving them. That will be a sound investment in our future.

Safety

Earlier I mentioned three broad areas for discussion today - soundness, safety and support. Though I've spoken of "soundness" first, safety is the foundation principle we seek in every department activity. It is MoDOT's number one objective. We are constantly exploring ways to make our highways and other transportation services safer for everyone. We have instituted better work zone guidelines to limit the number of crashes in highway construction areas. We emphasize internal safety practices to keep our employees and customers safe. And now we, with safety partners such as the Highway Patrol and many others, are developing Missouri's first Comprehensive Highway Safety Plan.

Too many people are dying on Missouri's roads. Over the past three years we have lost 3,463 Missourians to traffic accidents. That averages out to 1,154 per year. If we lost that many people in airplane crashes, it would be totally unacceptable. We need that same level of concern regarding the unacceptable number of motorists who don't make it to their destinations safely.

Working with our transportation partners, we will seek to channel the heartache of past traffic accidents into a safety plan that prevents pain and tears in the future. Our goal is to reduce the number of fatalities on our roads significantly by the end of 2008. Failing to meet this objective is not an option. **We can do it together. It's a goal we can and must reach!**

In order to reduce roadway deaths appreciably each year, we will need the help of our friends in highway safety. Cooperation is vital to achieving our goal of saving more motorists' lives.

By this summer, Missouri will have a Comprehensive Highway Safety Plan that focuses on the four "Es" - Engineering, Enforcement, Education, and Emergency services. The plan will outline ways to engineer safer roads, to

better enforce vital traffic laws, to educate the public about how they can operate vehicles more safely, and to improve the emergency services that respond to traffic crashes.

The lives of those who use our highways are too precious to not act. Safety must be a priority and your support is essential to achieving our safety goals.

Support

Your MoDOT is poised to make great strides toward improving the soundness and safety of the transportation system of this state, but we need the **support** of the Governor, statewide officials, the General Assembly and every citizen of Missouri to move toward better highways, bridges and public transportation options.

We need your support to end the diversion of fuel tax funds to purposes other than building and maintaining state highways and bridges, and enforcing the laws relating to them. The people of Missouri pay fuel taxes as well as other taxes, licensing charges and fees with the expectation that their hard-earned money is going toward highway improvements and traffic enforcement, and that's what the public wants the money to go for.

We understand the fiscal constraints the state is in, but reducing diversions is a course we must all pursue.

It will take an act of this state legislature and perhaps a statewide vote of the people of Missouri to end some of these diversions, but I repeat...**it is a course we must pursue**. The vital functions of other state agencies should be funded through sources outside of transportation dollars. Missourians expect highway revenues to go toward improving our highway system and that is where they should be used.

Another initiative we could take to address our extensive highway needs is utilizing toll roads to a limited extent. This too would require action by the General Assembly and statewide voter approval.

Many people fear that giving MoDOT the authority to use tolls will mean a tollbooth on every street corner. I can assure you that will not happen. In actuality, it would be feasible to place tolls on only a few major projects in Missouri. Legislation already filed lists only six specific projects. Those projects are certainly subject to debate. They have not yet been approved by anyone. But in every case, they are projects that are not currently funded and may never exist without some additional form of substantial revenue.

Tolling should be a tool in Missouri's transportation toolbox. It will not solve our funding problems, but it will be another step toward meeting our highway needs.

Tolling could help us provide sounder, safer highways, but highway safety is also the responsibility of each of us who set foot in a motor vehicle. Therefore, it is imperative that we enact legislation to encourage safer conduct when driving or when a passenger in a vehicle on our state's roads. The unsafe conduct of a few imposes enormous suffering and costs on the rest of us.

Two safety-related issues, banning open containers of alcohol in vehicles and passing and enforcing a primary seat belt law, will save lives and money and won't cost us a cent. Not only does it make sense to ban open containers from vehicles, but also it would end the mandatory diversion of three percent of our federal highway construction funds to other purposes.

We must also pass a primary seat belt law. That means enacting a measure allowing law enforcement officers to pull people over and ticket them solely for not wearing a safety belt. The United States Department of Transportation estimates that if seat belt usage were to increase from 75 percent to 90 percent, 4,000 lives would be saved nationally each year. No state has ever approached that usage level, however, without a primary seat belt law. One loss of life is too high a price to pay. We must act and give new meaning to the phrase "click it or ticket."

There is a clear humanitarian incentive to save lives through a primary safety belt law. At the same time, an additional financial incentive may come from the federal government. Every version of the federal transportation reauthorization bill currently being considered in Congress recognizes the enormous costs to society of traffic crashes,

and therefore contains financial incentives for enacting primary safety belt laws. Missouri could miss out on millions of additional dollars for our highways, if we do not act.

MoDOT has been working closely with Missouri's congressional delegation for more than a year to ensure that our state's share of federal transportation funds increases during the reauthorization process underway. We are encouraged by the funding levels in federal legislation being discussed that could hold the promise of about \$233 million more per year for transportation in Missouri over the next six years.

All funds received from the federal government for highway purposes, however, must be matched at a 20 percent rate with state funds. It is imperative that we make sure we have enough state funding to avoid losing a dollar of federal funds. Additional state revenue will have to be identified.

We are aware of the severe funds shortage in state government, but it is time to make constructive plans for the critical transportation needs of this state. We cannot leave our transportation system in worse shape than we found it and pass our problems on to our children and grandchildren. We must act now to provide for safer, smoother highways, better bridges and expanded public transportation options.

We in MoDOT will soon be coming to the citizens of Missouri with pleas to help us update the vision for transportation that all of us should share. As we update our long-range transportation plan, we must be guided by the needs that citizens feel and the opportunities our state's geographic location present to us.

As most of you know, my days with MoDOT are coming to a close. When I began this job, I was a newcomer to Missouri. Over the past five years, this great state has become my home and many of you have become my friends. I have come to believe certain things very passionately.

I believe that the employees of MoDOT are well-meaning, committed public servants and they want nothing more than to provide Missourians with the world-class transportation system they deserve.

I believe that our state and federal elected officials are dedicated to improving the lives of all Missourians and will not rest until steps are taken to dramatically improve transportation in this state.

And I believe in the people of this great state. I have quoted several numbers regarding the needs of our transportation system and various funding facts. Transportation, however, is not about numbers. It is about people.

It is about the mothers and fathers who drive to work each morning and the sons and daughters who count on them to return home safely every evening. It is about grandparents who rely on OATS buses to get to the grocery store and to the health care services they need. It is about children on school buses, walking on sidewalks or riding their bikes. It is about safety, jobs, commerce, security, recreation and all the other factors that contribute to a high quality of life.

These reasons are why I believe so strongly that we must improve our transportation system for all Missourians. And the people of this state are why I believe we can do it. Missourians personify the show-me spirit of our state and, when it comes to transportation, they have said, "If you don't show us, we will show you."

The citizens of Kirksville overwhelmingly voted to increase their local taxes to help pay for a four-lane highway that will be completed in 2005. Hollister, a town of 2,600 people, is contributing \$6.5 million to help us build an interchange. High school students in Canton lost friends in traffic accidents and resolved to do all they could to keep it from happening to someone else. Concerned citizens in O'Fallon, Poplar Bluff, St. Roberts, Washington, Hannibal, Lebanon, Springfield and countless other communities are stepping forward to say, "How can we help build the highway projects that we so desperately need?"

It is this can-do attitude that makes me believe in the people of Missouri. And I believe that, if we all work together, then we will truly witness a new day dawning on Missouri's transportation horizon. Let's make it happen in this capitol, at the ballot box and on every highway and byway of this great state. The **soundness** of our transportation system and the **safety** of our citizens depend on the **support** we give each other.

Thank you and may God bless your travels.

The Joint Session was dissolved by Senator Gibbons.

Speaker Pro Tem Jetton resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 213

and

House Resolution No. 214 - Representative Bearden

House Resolution No. 215 - Representative Johnson (90)

House Resolution No. 216

and

House Resolution No. 217 - Representative Liese

House Resolution No. 218 - Representative George

House Resolution No. 219 - Representative Pearce

House Resolution No. 220 - Representative Ransdall

House Resolution No. 221 - Representative Smith (14)

House Resolution No. 222 - Representatives Luetkemeyer, Cooper (155), Jackson and Ransdall

House Resolution No. 223

and

House Resolution No. 224 - Representative Pratt

House Resolution No. 225

and

House Resolution No. 226 - Representative Witte

House Resolution No. 227 - Representative Riback Wilson (25)

House Resolution No. 228 - Representative LeVota

House Resolution No. 229 - Representative Daus

House Resolution No. 230

and

House Resolution No. 231 - Representative Hanaway

House Resolution No. 232 - Representatives Cunningham (145) and Dixon

House Resolution No. 233 - Representative Johnson (90)

HOUSE CONCURRENT RESOLUTION

Representatives Baker, Brown, Dusenberg, Johnson (47), Ervin, Yates, Lager, LeVota, Skaggs, Pratt, Phillips, Walker, Jolly, Curls, Hoskins, Dougherty, Sanders Brooks and Wilson (42) offered House Concurrent Resolution No. 16.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1286, introduced by Representatives Guest, Whorton, Cooper (155) and Ervin, relating to marine franchise dealers.

HB 1287, introduced by Representatives Jolly, Schoemehl, Witte, LeVota, Harris (110), Willoughby, Wildberger, Donnelly, Sanders Brooks, Dusenberg and Moore, relating to sexual offenses.

HB 1288, introduced by Representative Threlkeld, relating to compensation agreements between franchisors and franchisees who engage in the sale of motorcycles, all-terrain vehicles and personal watercraft.

HB 1289, introduced by Representative Cooper (120), relating to coroners' reports.

HB 1290, introduced by Representatives Portwood, LeVota, Stefanick, Sutherland, Rupp, Pratt, Davis (122), George, Cooper (120), Dempsey, Nieves, Hunter, Smith (14), McKenna, Wagner, Wright, Icet, Smith (118), Yates, Mayer, Baker, Wasson, Riback Wilson (25), Daus, Spreng, Johnson (47), Shoemaker, Hilgemann, Lembke, Kingery, Salva and Jolly, relating to contributions to certain nonprofit organizations.

HB 1291, introduced by Representatives Pearce, Dixon, Richard, Luetkemeyer, Wilson (119), Hobbs, Ward and Parker, relating to unfair insurance practice and fraud.

HB 1292, introduced by Representative Johnson (47), relating to birth and death records.

HB 1293, introduced by Representatives Deeken, Muckler, Villa, Harris (110), Kelly (36), Liese, Schoemehl, Bruns, Morris, Meiners, Rupp, Stevenson, Smith (118), Wilson (119), Engler, Threlkeld, Sutherland, Guest, Dusenberg, Brown, Goodman, Schneider, Dempsey, Sander, Hobbs, Kelly (144), Icet, Roark, Nieves, May, Mayer, Henke, Selby, Corcoran, Schaaf, Schlottach, Portwood, Dougherty, Black, Viebrock, Ervin, Luetkemeyer, Dixon, Hanaway and Bivins, relating to the promotion of childbirth.

HB 1294, introduced by Representative Rector, relating to public water supply districts.

HB 1295, introduced by Representative Selby, relating to political campaign fund-raising activities.

HB 1296, introduced by Representatives Ruestman, Dixon, Wilson (130), Goodman, Schaaf, King, Emery, Moore, Nieves, Sander, Cunningham (145), Wood, Self, Cunningham (86), Richard, Marsh, Hunter, Miller, May, Stevenson, Pearce, Smith (14), Smith (118) and Lembke, relating to physical therapists and physical therapist assistants.

HB 1297, introduced by Representatives Seigfreid, Barnitz, Kelly (36), Shoemyer, Carnahan and Whorton, relating to motor fuel taxes.

HB 1298, introduced by Representatives Riback Wilson (25), Curls, Davis (122), Bland, Daus, Zweifel, Yaeger, Donnelly, Fraser, Walker, Page, Walton, Wilson (42), Boykins, Walsh, Schoemehl, Darrough, Meiners and Abel, relating to limitations on firearms possession for domestic violence offenses.

HB 1299, introduced by Representative Riback Wilson (25), relating to taxes on the sale of cigarettes and tobacco products.

HB 1300, introduced by Representatives Riback Wilson (25), Graham, Carnahan and Walker, relating solely to the creation of an earned income tax credit.

HB 1301, introduced by Representative Sutherland, relating to motor vehicle operation.

HB 1302, introduced by Representatives Lager, Jetton, Dempsey, Parker, Richard, Crowell, Lipke, Yates, Hanaway, Sutherland, Ervin, Byrd, Dixon, Hubbard, Hoskins, Bean, Deeken, Cooper (155), Guest, Stefanick, Emery, Phillips, Angst, Cooper (120), Mayer, Stevenson, Wasson, Portwood, Myers, Kingery, Wilson (130), Ruestman, Hobbs, Bearden, Viebrock, Sander, Quinn, Cunningham (145), Behnen, Smith (118), Rector, Kelly (144), Rupp, Icet, Goodman, Bough, Lembke, Munzlinger, May, Roark, Townley, Wilson (119), Nieves, Schlottach, Pratt, Morris, Moore, Bruns, Purgason, Wright, Luetkemeyer, Hunter, Crawford, Jackson, Black, Cunningham (86), Shoemaker, Davis (122), Wildberger, Bland, Seigfreid, Barnitz, Page, Marsh, McKenna, Villa, Willoughby, Schaaf, Reinhart, St. Onge, Taylor, Schneider and Bivins, relating to the elder-care protection act of 2004.

HB 1303, introduced by Representatives Rector, Emery, Corcoran, Jackson, Stevenson, Viebrock, Bivins, Wagner, Spreng, Dempsey, Ward, Hunter, Schlottach, Skaggs, Smith (118), Page, Smith (14), Munzlinger, Luetkemeyer, Jones, Henke, Seigfreid and Ransdall, relating to telecommunications price flexibility.

HB 1304, introduced by Representatives Byrd, Hanaway, Jetton, Crowell, Page, Hubbard, Baker, Schaaf, Portwood, Jackson, Bearden, Pratt, Johnson (47), Crawford, Smith (14), Brown, Nieves, Davis (19), Icet, Ruestman, Stevenson, Quinn, Bean, Kingery, Engler, St. Onge, Shoemaker, Pearce, Schlottach, Cooper (155), Threlkeld, Phillips, Ervin, Holand, Lipke, Lembke, Rector, Dusenberg, Guest, Luetkemeyer, Dethrow, Purgason, Miller, Rupp, Emery, Smith (118), Stefanick, Munzlinger, Dempsey, Deeken, Kelly (144), May, Dixon, Richard, Behnen, Wilson (119), Wood, Cunningham (145), Sander, Yates, Bruns, Cooper (120), Roark, Hunter, Mayer, Wright, Self, Angst, Wallace, Cunningham (86), Lager, Hobbs, Wilson (130), Reinhart, Moore, Marsh, Wasson, Townley, Sutherland, Black, Morris, Viebrock, Bivins, Fares and Taylor, relating to claims for damages and the payment thereof.

HB 1305, introduced by Representatives Byrd, Hanaway, Jetton, Crowell, Jackson, Johnson (47), Crawford, Pratt, Page, Hubbard, Baker, Schaaf, Brown, Bearden, Smith (14), Nieves, Davis (19), Portwood, Icet, Ruestman, Stevenson, Quinn, Bean, Kingery, Engler, St. Onge, Shoemaker, Pearce, Schlottach, Cooper (155), Threlkeld, Phillips, Ervin, Holand, May, Richard, Lipke, Lembke, Rector, Dusenberg, Guest, Luetkemeyer, Dethrow, Purgason, Miller, Rupp, Emery, Smith (118),

Munzlinger, Dempsey, Kelly (144), Stefanick, Deeken, Dixon, Behnen, Wilson (119), Wood, Cunningham (145), Sander, Yates, Bruns, Cooper (120), Roark, Hunter, Mayer, Wright, Self, Angst, Wallace, Cunningham (86), Lager, Hobbs, Wilson (130), Reinhart, Moore, Marsh, Wasson, Townley, Sutherland, Black, Viebrock, Bivins and Taylor, relating to insurance for health care providers in Missouri.

HB 1306, introduced by Representative Campbell, relating to taxation.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1001 and **HB 1014** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1271 through **HB 1285** were read the second time.

PERFECTION OF HOUSE BILL

HB 969, as amended, relating to income tax: intangible property, was taken up by Representative Cooper (120).

Representative Purgason assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Kelly 144	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates			

NOES: 065

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	LeVota	Liese
Lowe	McKenna	Meiners	Muckler	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Boykins	El-Amin	Johnson 47	King
Kratky	Lawson	Page	Walton	Madam Speaker

VACANCIES: 001

On motion of Representative Cooper (120), **HB 969, as amended**, was ordered perfected and printed by the following vote:

AYES: 093

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Henke	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Kelly 144	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wood
Wright	Yates	Young		

NOES: 060

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Hilgemann	Hoskins

Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kuessner	LeVota	Liese	Lowe
McKenna	Meiners	Muckler	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Wildberger
Wilson 25	Wilson 42	Witte	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Boykins	El-Amin	Johnson 47	King
Kratky	Lawson	Walton	Madam Speaker	

VACANCIES: 001

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1095 - Local Government

COMMITTEE REPORTS

Committee on Ethics, Chairman Crowell reporting:

Madam Speaker: Your Committee on Ethics, to which was referred the **Democrat Lawyers Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473(2)(c)d RSMo.**

TO: Rep. Jason Crowell, Chairman
 House Ethics Committee

FROM: Rep. John Burnett

DATE: January 21, 2004

Pursuant to Section 105.473(2)(c)d RSMo 1998, a listing of a new caucus, The Democrat Lawyer Caucus is attached. Your acceptance of this Caucus is appreciated.

I will serve as the designated member to present this request to the Ethics Committee. Please contact me if you have questions.

<u>NAME</u>	<u>DISTRICT</u>
/s/ John Burnett	40
/s/ Rick Johnson	90
/s/ Jeff Harris	23
/s/ Terry L. Witte	10
/s/ Daniel P. Bishop	38
/s/ Michael Vogt	66
/s/ Rachel Bringer	6
/s/ Cathy Jolly	45

/s/ Russ Carnahan 59
 /s/ Margaret Donnelly 73

Madam Speaker: Your Committee on Ethics, to which was referred the **District 4 MoDOT Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

TO: Representative Jason Crowell, Chairman
 House Ethics Committee

FROM: Representative Gary Kelly

DATE: January 13, 2004

RE: District 4 MoDOT Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo 1998 and the rules of the Missouri House of Representatives, a listing of members of the District 4 MoDOT Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-9757 if you have any questions.

<u>Representative</u>	<u>District</u>	<u>Representative</u>	<u>District</u>
/s/ Gary Kelly	36	/s/ Mike Sager	48
/s/ Kate Meiners	46	/s/ Brian Baker	123
/s/ David Pearce	121	/s/ Doug Ervin	35
/s/ Daniel P. Bishop	38	/s/ Marsha Campbell	39
/s/ John Burnett	40	/s/ Melba Curls	41
/s/ Annie Reinhart	34	/s/ Sharon Sanders Brooks	37
/s/ D.J. Davis	122	/s/ Jim Seigfreid	26
/s/ Robert Thane Johnson	47	/s/ Vicki Walker	50
/s/ Cathy Jolly	45	/s/ Susan Phillips	32
/s/ Curt Dougherty	53	/s/ Jenee Lowe	44
/s/ Trent Skaggs	31	/s/ Gary Dusenberg	54
/s/ Bryan Pratt	55	/s/ Brian Yates	56
/s/ Phil Willoughby	33	/s/ Yvonne Wilson	42
/s/ Craig Bland	43	/s/ Rex Rector	124
/s/ Ray Salva	51	/s/ Todd Smith	118
/s/ Terry Young	49	/s/ Shannon Cooper	120
/s/ Jason Brown	30	/s/ Paul LeVota	52
/s/ Maurice Lawson	29		

Madam Speaker: Your Committee on Ethics, to which was referred the **House 109 Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

<u>Representative</u>	<u>District</u>
/s/ Bill Ransdall	148
/s/ Harold Selby	105
/s/ Mark Hampton	147
/s/ Betty Thompson	72

/s/ Kate Meiners	46
/s/ Michael Vogt	66
/s/ Rodney Hubbard	58
/s/ Dan Bishop	38
/s/ Matt Muckler	70
/s/ Michael Spreng	76

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the 115 Capitol Complex Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell, Chair
Ethics Committee

FROM: Representative Yvonne S. Wilson

DATE: 115 Capitol Complex Caucus

In accordance with Section 105.473.3(2)(c)d RSMo, we are requesting the addition of Representative Terry Swinger as a member of the 115 Capitol Complex Caucus and the removal of Representative Ray Adams (Deceased).

<u>Representative</u>	<u>District</u>
/s/Terry Swinger	162

Madam Speaker: Your Committee on Ethics, to which was referred the **additions to the Rural Democrats Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

January 28, 2004

Representative Jason Crowell
Chairman, House Ethics Commission
Room 309
State Capitol Building

Dear Chairman Crowell:

Representative Maurice Lawson, District 29, Representative Ray Salva, District 51, and Representative Terry Swinger, District 162, have requested that their names be added to the roster of the Rural Democrats Caucus.

Please consider this letter as approval for the above-named to be considered as members of this Caucus.

Sincerely,

/s/ Jim Seigfreid
State Representative
District 26

Requested by:

/s/ Rep. Maurice Lawson
District 29

/s/ Rep. Ray Salva
District 51

/s/ Rep. Terry Swinger
District 162

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the Veterans Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

January 21, 2004

Jason Crowell
Majority Floor Leader
State Capitol, Room 309
201 West Capitol Avenue
Jefferson City, MO 65101

Dear Representative Crowell:

Representative Ed Emery has requested to join the Veterans Caucus.

Representative Danielle “Danie” Moore has requested to join the Veterans Caucus.

Representative Dan Ward has requested to join the Veterans Caucus.

I respectfully request that Representatives Ed Emery, Danielle “Danie” Moore and Dan Ward be added as members of the Veterans Caucus.

Sincerely,

/s/ Representative Gary Dusenberg

/s/ Ed Emery
/s/ Danie Moore
/s/ Dan Ward

January 14, 2004

Jason Crowell
Majority Floor Leader
State Capitol, Room 309
201 West Capitol Avenue
Jefferson City, MO 65101

Dear Representative Crowell:

Representative Terry Swinger has requested to join the Veterans Caucus.

I respectfully request that Representative Terry Swinger be added as a member of the Veterans Caucus.

Sincerely,

/s/ Gary Dusenberg

/s/ Terry Swinger

January 8, 2004

Jason Crowell
Majority Floor Leader
State Capitol, Room 309
201 West Capitol Avenue
Jefferson City, MO 65101

Dear Representative Crowell:

Representative Bob May has requested to join the Veterans Caucus.

Representative Christopher Shoemaker has requested to join the Veterans Caucus.

I respectfully request that Representatives Bob May and Christopher Shoemaker be added as members of the Veterans Caucus.

Sincerely,

/s/ Gary Dusenberg

/s/ Bob May

/s/ Christopher Shoemaker

COMMITTEE ASSIGNMENT

JOINT COMMITTEE ON LIFE SCIENCES

Hanaway, Catherine
Munzlinger, Brian
Jackson, Jack
Pratt, Bryan

COMMUNICATION

January 27, 2004

Steve Davis
Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Steve:

Pursuant to Section 105.461 of RSMo this is to certify that I own no more than ten percent of shares in the New Generation Cooperative in Macon, Missouri, and the Ozark Mountain Pork Cooperative.

Sincerely,

/s/ Wes Shoemyer

WITHDRAWAL OF HOUSE BILL

January 28, 2004

Mr. Stephen Davis, Chief Clerk
State Capitol Building, Room 306B
Jefferson City, MO 65101

Dear Mr. Clerk:

I ask that **HB 1057** be withdrawn. I do plan to re-file shortly.

Thank you.

Regards,

/s/ Jack Goodman

The following member's presence was noted: Lawson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, January 29, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Rod Jetton, District 156, hereby state and affirm that my vote as recorded on Pages 148 and 149 of the House Journal for Tuesday, January 27, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 28th day of January 2004.

/s/ Rod Jetton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 28th day of January in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Marsha Campbell, District 39, hereby state and affirm that my vote as recorded on Pages 148 and 149 of the House Journal for Tuesday, January 27, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that

I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 28th day of January 2004.

/s/ Marsha Campbell
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 28th day of January in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 7.
Executive Session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 3.
Departments of Mental Health, Health, and Social Services.
Review of the Governor's recommendations. CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, January 29, 2004, 8:15 a.m. Hearing Room 5.
Testimony from the Departments of Insurance, Labor, Transportation,
and Economic Development.

EDUCATION

Thursday, January 29, 2004, 8:00 a.m. Hearing Room 4.
Possible continuation of hearing on HB 1040.
Executive Sessions may be held on: HB 1040, HB 1041

LOCAL GOVERNMENT

Thursday, January 29, 2004, 8:30 a.m. Hearing Room 6.
Executive Session may follow.
Public hearings to be held on: HB 801, HB 802, HB 841, HB 895, HB 989

TAX POLICY

Thursday, January 29, 2004, Right Gallery upon adjournment.
Executive Session.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, January 29, 2004, South Side Gallery upon morning adjournment.

Public hearings to be held on: HB 1268 and HB 1211. AMENDED

Executive Session.

HOUSE CALENDAR

THIRTEENTH DAY, THURSDAY, JANUARY 29, 2004

HOUSE BILLS FOR SECOND READING

HB 1286 through HB 1306

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 950 & 948 - Mayer (159)

HOUSE BILL FOR THIRD READING

HB 969 - Cooper (120)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 120, (1-22-04, Pages 124-128) - Crowell (158)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 29, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Lord God, Almighty Father, as we begin this morning's session, we recall Your promise to be present to us when we call upon You.

We know that we are blessed with Your nearness and that we are called together to work for the people. We pray that You will help us respond generously to this opportunity to serve You by serving them.

Inspire us with Your Spirit of wisdom. Plant the seeds of Your vision in our hearts and minds. Give us humor and give us humility in our working with one another, so that we may experience the fulfillment of helping those who have not the wherewithal to help themselves and of improving the quality of life for all.

Holy Lord, after this day's work we will return to the warmth of our homes and the love of our families. Protect those who will NOT, especially our men and women in the armed forces. Help them defend the lives of the innocent and lay the foundations of true peace. Bring them safely back to us and to the warmth and love of their homes.

We pray to You who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Vince Markovitz, Hanna Reese, Cy Rautman and China Collins.

The Journal of the twelfth day was approved as corrected.

SPECIAL RECOGNITION

The Blue Springs Wildcats Football Team was recognized by Representatives Dusenberg and Pratt and presented a resolution for accomplishing the title of the 2003 Missouri Class 6A State Champions.

HOUSE RESOLUTIONS

Representatives Emery, Hunter, Sander, Ruestman, Wilson (130), May, Jackson, Smith (14), Lager, Bean, Kingery, Moore, Bough, Wood, Nieves, Icet, Shoemaker, Cunningham (86), Quinn,

Davis (19), Purgason, Deeken, Phillips, Munzlinger, Smith (118), Morris, King, Rector, Dougherty, Lembke, Black, Baker, Holand and Stefanick offered House Resolution No. 263.

Representative Bivins offered House Resolution No. 264.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 234
through
House Resolution No. 239 - Representative Lager
House Resolution No. 240
through
House Resolution No. 242 - Representative Portwood
House Resolution No. 243
through
House Resolution No. 245 - Representative Goodman
House Resolution No. 246 - Representative Fraser
House Resolution No. 247 - Representative Smith (14)
House Resolution No. 248 - Representative Wagner
House Resolution No. 249 - Representative Rupp
House Resolution No. 250 - Representative Dixon
House Resolution No. 251
and
House Resolution No. 252 - Representative Witte
House Resolution No. 253
and
House Resolution No. 254 - Representatives Schlottach, Thelkeld and Nieves
House Resolution No. 255 - Representative Smith (14)
House Resolution No. 256 - Representative Kratky
House Resolution No. 257
through
House Resolution No. 260 - Representative Crowell
House Resolution No. 261 - Representative Hobbs
House Resolution No. 262 - Representative Bivins
House Resolution No. 265 - Representatives Dusenberg and Pratt
House Resolution No. 266
through
House Resolution No. 271 - Representative Dusenberg
House Resolution No. 272 - Representative Pratt
House Resolution No. 273 - Representative Taylor

HOUSE CONCURRENT RESOLUTIONS

Representatives Bivins, Engler, Bough, Deeken, Wilson (130), Moore, Sutherland and Luetkemeyer offered House Concurrent Resolution No. 17.

Representatives Carnahan, Wildberger, Yaeger, Walker, Muckler and Whorton offered House Concurrent Resolution No. 18.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1307, introduced by Representatives Muckler, Dixon, Villa, Walsh, Darrough, Selby, George, Harris (110), Meiners, Burnett, Spreng, Vogt, Henke, Hubbard, Thompson, Hampton, Kuessner, Haywood, Sanders Brooks, Threlkeld, Deeken, King, Green, Kelly (36), Schaaf, Davis (122), Wagner, Daus, Schoemehl, McKenna, Dougherty, Bringer, Baker, Barnitz, Corcoran, Liese, Yaeger, Salva and Cooper (155), relating to the children's health insurance program.

HB 1308, introduced by Representative Dougherty, relating to local sales taxes for museum and tourism-related activities.

HB 1309, introduced by Representatives Villa, Kratky, El-Amin, Johnson (61), Hubbard, Hoskins and Vogt, relating to taxable tangible personal property assessment lists.

HB 1310, introduced by Representative Byrd, relating to the public service commission.

HB 1311, introduced by Representative Byrd, relating to registration of juvenile sex offenders.

HB 1312, introduced by Representative Byrd, relating to the right to civil action for unlawful discriminatory practices.

HB 1313, introduced by Representatives Jetton, Jackson, Baker, Crowell, Lager, Cooper (120), Sutherland, Behnen, Page and Sager, relating to pupil/teacher ratios.

HB 1314, introduced by Representatives Jetton, Jackson, Baker, Pearce, Crowell, Sutherland, Behnen, Page, Lager, Cooper (120) and Sager, relating to higher education scholarships.

HB 1315, introduced by Representative Dempsey, relating to the state board of education.

HB 1316, introduced by Representatives Kelly (36), Davis (122), Muckler, Bean and Moore, relating to retirement for state employees.

HB 1317, introduced by Representatives Kingery, Pratt, Whorton, Quinn, Sager, Luetkemeyer, Kelly (36) and Carnahan, relating to special license plates for Boy Scouts.

HB 1318, introduced by Representatives Schaaf, Cooper (155) and Bland, relating to lead testing.

HB 1319, introduced by Representatives Deeken, Campbell, Lowe, Meiners, Bishop, Jolly, Young, Skaggs, Walker, Phillips and Curls, relating to candidate filing dates in certain cities.

HB 1320, introduced by Representatives Walker, Harris (110), Johnson (47), Villa, Daus, Baker, Vogt and Sanders Brooks, relating to tax increment financing.

HB 1321, introduced by Representative Schaaf, relating to neighborhood improvement districts.

HB 1322, introduced by Representative Davis (122), relating to eligible pupil counts for summer school and kindergarten.

HB 1323, introduced by Representatives Walsh, Lowe, Darrough, Henke, Corcoran, Seigfreid, Davis (122), George, Jones, Shoemaker, Johnson (90), Taylor, Moore, Miller, Skaggs, Spreng, Bean, King, Wildberger, Purgason, Holand, Walton, Muckler, Green, Page, Johnson (61), Meiners, Kratky, Vogt, Whorton and Salva, relating to department of mental health facilities.

HB 1324, introduced by Representatives Selby and Nieves, relating to municipal transient guest taxes.

HB 1325, introduced by Representatives Schlottach, Bruns, Deeken, Witte, Engler, Hubbard, Dusenberg and Curls, relating to state employee donation of accrued annual leave.

HB 1326, introduced by Representatives Hobbs, Pearce, Riback Wilson (25) and Kelly (144), relating to regional recreation districts.

HB 1327, introduced by Representatives St. Onge, Icet, Reinhart, Smith (118), Dempsey, Munzlinger, Ervin, Wasson and Byrd, relating to design-build.

HB 1328, introduced by Representatives St. Onge, Whorton, Icet, Engler and Bivins, relating to the powers and duties of the Missouri high voltage electrical industry licensing board.

HB 1329, introduced by Representatives Wilson (130), Ruestman, Richard, Stevenson, Kelly (144), Hunter, Hobbs, Nieves, Rupp, Smith (118) and Jackson, relating to impounding vehicles.

HB 1330, introduced by Representatives Witte, Bringer, Sager, Jolly, Deeken, Dixon, Hobbs, Schlottach, Quinn, Moore, Brown and Burnett, relating to sex offenders.

HB 1331, introduced by Representatives Jackson, Emery, Sander, Lembke, Wood, Nieves, Morris and Schlottach, relating to school facilities.

HB 1332, introduced by Representatives Jackson and Nieves, relating to lapse of district corporate organization.

HB 1333, introduced by Representatives Jackson, Lembke and Wood, relating to the counting of pupils for school aid.

HB 1334, introduced by Representative Davis (19), relating to midwifery.

HB 1335, introduced by Representatives Hilgemann, Jones, Johnson (47) and Fraser, relating to special license plates.

HB 1336, introduced by Representatives Ervin, Deeken, Hobbs, Wilson (119), Sander, Munzlinger, Smith (118), Reinhart and Skaggs, relating to immunity from civil liability for certain landowners.

HB 1337, introduced by Representatives Nieves, Icet, Hobbs, Rupp, Selby, Lipke, Goodman, Wallace, Myers, Lembke, Richard, Bearden, King, Deeken, Cunningham (86), Ruestman, Portwood, Wasson, Schaaf, Purgason, Byrd, Self, Wood, Moore, Wilson (130), Pearce, Davis (19), Smith (14), Stevenson, Angst, Luetkemeyer, Sander, Lager, Brown, May, Ervin, Munzlinger, Quinn, Emery, Wilson (119), Reinhart, Phillips, Dusenberger, Bivins, Dempsey, Dethrow, Rector, Engler, Jetton, Bough, Cunningham (145), Smith (118), Jackson, Cooper (120), Hunter, Townley, Behnen, Crowell, Schlottach, Miller, St. Onge and Bruns, relating to official state language.

HB 1338, introduced by Representatives Wood, Wallace, Bearden, Viebrock, Luetkemeyer, Dixon, Taylor, Cunningham (145), Stevenson, Wright, Hanaway, Goodman, Jackson, Sander, Burnett, Smith (118), Behnen, Kratky, Kuessner, Morris, Threlkeld, Deeken, Lager, Marsh, Roark, May, Johnson (90), Yaeger, Walsh, Salva, Harris (23) and Henke, relating to the buyers club law.

HB 1339, introduced by Representatives Cunningham (86), Lembke, Phillips, Muckler, Ervin, Villa, Harris (110), Kelly (36), Baker and Hanaway, relating to consent to abortion.

HB 1340, introduced by Representatives Willoughby, Burnett, Bough and Sager, relating to gas safety penalties.

HB 1341, introduced by Representatives Bruns, Bishop and Wildberger, relating to workers' compensation.

HB 1342, introduced by Representatives Bruns, Bishop and Wildberger, relating to torts and action for damages.

HB 1343, introduced by Representative Goodman, relating to the tobacco master settlement agreement.

HB 1344, introduced by Representatives Brown, Quinn, Yates, Cooper (120), Ervin, Threlkeld, Sutherland, Stefanick, Icet, Baker, Schneider, Lembke, Engler, Jolly, Bringer, Meiners, Dougherty, Witte and Davis (122), relating to endangering the welfare of a child in the first degree.

HB 1345, introduced by Representatives Ward, Crawford, Parker, Yates, Wildberger and Hampton, relating to unauthorized use of traffic signal preemption systems.

HB 1346, introduced by Representatives Jetton, Crowell, Self, Crawford, Hobbs, Sander, Hunter, Ruestman, Emery, Lembke, Sutherland, Jackson, Angst, Cunningham (145), Wasson, Quinn and Kelly (144), relating to claims for damages for injuries to the person.

HB 1347, introduced by Representative Jetton, relating to the state library.

HB 1348, introduced by Representatives Walker, Villa, Riback Wilson (25) and Lowe, relating to the use of marijuana for medicinal purposes.

SECOND READING OF HOUSE BILLS

HB 1286 through **HB 1306** were read the second time.

THIRD READING OF HOUSE BILL

HB 969, relating to income tax: intangible property, was taken up by Representative Cooper (120).

Representative Johnson (90) moved that **HB 969** be recommitted to the Committee on Budget for fiscal review.

The Chair ruled the motion not timely.

On motion of Representative Cooper (120), **HB 969** was read the third time and passed by the following vote:

AYES: 094

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	Kingery	Lager
Lawson	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wood
Wright	Yates	Young	Madam Speaker	

NOES: 059

Abel	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Donnelly	Fraser
George	Green	Hampton	Harris 110	Harris 23
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61

Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meiners	Muckler	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Wildberger	Wilson 25
Wilson 42	Witte	Yaeger	Zweifel	

PRESENT: 003

Davis 122	Dougherty	Seigfreid
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ABSENT WITH LEAVE: 006

Avery	El-Amin	Graham	Haywood	King
Pearce				

VACANCIES: 001

Speaker Hanaway declared the bill passed.

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **HB 980**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Agriculture, to which was referred **HB 1177**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Agriculture, to which was referred **HB 1182**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 994**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 196 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 16 - Job Creation and Economic Development

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 35 - Conservation and Natural Resources

HJR 36 - Transportation and Motor Vehicles

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 764 - Crime Prevention and Public Safety

HB 765 - Tax Policy

HB 766 - Communications, Energy and Technology

HB 767 - Education

HB 768 - Crime Prevention and Public Safety

HB 769 - Children and Families

HB 783 - Education

HB 816 - Education

HB 817 - Education

HB 818 - Financial Services

HB 826 - Transportation and Motor Vehicles

HB 828 - Financial Services

HB 830 - Transportation and Motor Vehicles

HB 831 - Transportation and Motor Vehicles

HB 838 - Small Business

HB 840 - Education

HB 842 - Local Government

HB 843 - Local Government

HB 844 - Workforce Development and Workplace Safety

HB 847 - Agriculture

HB 851 - Education

HB 853 - Education

HB 854 - Education

HB 856 - Tax Policy

HB 858 - Crime Prevention and Public Safety

HB 859 - Tax Policy

HB 862 - Conservation and Natural Resources

HB 863 - Crime Prevention and Public Safety

HB 873 - Health Care Policy
HB 874 - Transportation and Motor Vehicles
HB 876 - Judiciary
HB 877 - Financial Services
HB 878 - Children and Families
HB 880 - Local Government
HB 881 - Tax Policy
HB 885 - Workforce Development and Workplace Safety
HB 896 - Corrections and State Institutions
HB 900 - Elections
HB 902 - Tax Policy
HB 910 - Tax Policy
HB 913 - Local Government
HB 915 - Children and Families
HB 917 - Crime Prevention and Public Safety
HB 918 - Crime Prevention and Public Safety
HB 919 - Crime Prevention and Public Safety
HB 920 - Judiciary
HB 925 - Crime Prevention and Public Safety
HB 931 - Crime Prevention and Public Safety
HB 934 - Tax Policy
HB 935 - Education
HB 936 - Financial Services
HB 937 - Transportation and Motor Vehicles
HB 963 - Health Care Policy
HB 966 - Transportation and Motor Vehicles
HB 983 - Crime Prevention and Public Safety
HB 984 - Crime Prevention and Public Safety
HB 987 - Health Care Policy
HB 990 - Financial Services
HB 993 - Senior Security
HB 995 - Transportation and Motor Vehicles
HB 996 - Transportation and Motor Vehicles
HB 997 - Senior Security
HB 998 - Professional Registration and Licensing
HB 999 - Crime Prevention and Public Safety
HB 1026 - Transportation and Motor Vehicles
HB 1027 - Financial Services
HB 1029 - Transportation and Motor Vehicles
HB 1031 - Crime Prevention and Public Safety
HB 1032 - Tax Policy
HB 1039 - Elections
HB 1044 - Professional Registration and Licensing
HB 1051 - Financial Services
HB 1054 - Transportation and Motor Vehicles

HB 1058 - Small Business
HB 1067 - Tax Policy
HB 1068 - Budget
HB 1070 - Local Government
HB 1075 - Crime Prevention and Public Safety
HB 1078 - Crime Prevention and Public Safety
HB 1080 - Transportation and Motor Vehicles
HB 1086 - Education
HB 1088 - Financial Services
HB 1095 - Local Government
HB 1099 - Tax Policy
HB 1101 - Elections
HB 1102 - Education
HB 1103 - Crime Prevention and Public Safety
HB 1109 - Transportation and Motor Vehicles
HB 1110 - Crime Prevention and Public Safety
HB 1114 - Transportation and Motor Vehicles
HB 1115 - Judiciary
HB 1120 - Children and Families
HB 1124 - Financial Services
HB 1126 - Agriculture
HB 1128 - Local Government
HB 1131 - Financial Services
HB 1132 - Tourism and Cultural Affairs
HB 1134 - Workforce Development and Workplace Safety
HB 1135 - Transportation and Motor Vehicles
HB 1136 - Health Care Policy
HB 1138 - Education
HB 1139 - Children and Families
HB 1142 - Transportation and Motor Vehicles
HB 1143 - Judiciary
HB 1145 - Retirement
HB 1146 - Judiciary
HB 1147 - Education
HB 1148 - Judiciary
HB 1149 - Transportation and Motor Vehicles
HB 1150 - Elections
HB 1151 - Health Care Policy
HB 1152 - Homeland Security and Veterans Affairs
HB 1153 - Crime Prevention and Public Safety
HB 1157 - Transportation and Motor Vehicles
HB 1159 - Financial Services
HB 1161 - Local Government
HB 1162 - Local Government
HB 1163 - Local Government

HB 1164 - Tax Policy
HB 1166 - Local Government
HB 1167 - Transportation and Motor Vehicles
HB 1168 - Crime Prevention and Public Safety
HB 1169 - Financial Services
HB 1178 - Judiciary
HB 1179 - Judiciary
HB 1183 - Crime Prevention and Public Safety
HB 1188 - Judiciary
HB 1195 - Professional Registration and Licensing
HB 1196 - Professional Registration and Licensing
HB 1198 - Financial Services
HB 1201 - Transportation and Motor Vehicles
HB 1202 - Transportation and Motor Vehicles
HB 1205 - Judiciary
HB 1209 - Conservation and Natural Resources
HB 1210 - Tax Policy
HB 1212 - Tax Policy
HB 1215 - Crime Prevention and Public Safety
HB 1276 - Conservation and Natural Resources
HB 1277 - Conservation and Natural Resources
HB 1278 - Financial Services
HB 1290 - Tax Policy
HB 1304 - Judiciary

The following member's presence was noted: Graham.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, February 2, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twelfth Day, Wednesday, January 28, 2004, page 155, roll call, by showing Representative Salva voting "aye" rather than "absent with leave".

AFFIDAVIT

I, State Representative Ronnie Miller, District 133, hereby state and affirm that my vote as recorded on Page 155 of the House Journal for Wednesday, January 28, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of January 2004.

/s/ Ronnie Miller
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of January in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 3, 2004. 8:00 a.m. Hearing Room 4.

Testimony from the Department of Conservation and the Department of Agriculture.

APPROPRIATIONS - EDUCATION

Tuesday, February 3, 2004. 8:00 a.m. Hearing Room 1.

Testimony from the Department of Education and the Coordinating Board of Higher Education.

Committee will possibly reconvene at 2:30 p.m.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 2, 2004. 2:00 p.m. Hearing Room 7.

Department of Revenue.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 3, 2004. 8:15 a.m. Hearing Room 5.

Testimony from the Department of Economic Development.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, February 3, 2004. Hearing Room 3 upon morning adjournment.

Executive Session may follow.

Public hearings to be held on: HB 1241, HB 1156, HB 1303

ELECTIONS

Tuesday, February 3, 2004. 5:00 p.m. Hearing Room 7.

Public hearing to be held on: HB 1091

FINANCIAL SERVICES

Tuesday, February 3, 2004. 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 959, HB 1278

Executive Session will be held on: HB 959

JUDICIARY

Wednesday, February 4, 2004. 12:00 p.m. Hearing Room 1.
Hearing may be continued later in the day if needed.
Public hearing to be held on: HB 1304

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 3, 2004, 12:00 p.m. Hearing Room 4.
Educational session regarding Optometrists and Ophthalmologists will be held.
Possible Executive Session on HB 869, HB 955. AMENDED
Public hearing to be held on: HB 792

SMALL BUSINESS

Monday, February 2, 2004. 2:00 p.m. Hearing Room 5.
Executive Session may follow.
Public hearing to be held on: HB 978

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, February 3, 2004. 6:00 p.m. Hearing Room 2.
Public hearing to be held on: HB 785
Executive Session will be held on: HB 1074, HB 1129, HCR 8

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, FEBRUARY 2, 2004

HOUSE BILLS FOR SECOND READING

HB 1307 through HB 1348

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 950 & 948 - Mayer (159)
- 4 HCS HB 980 - Myers (160)
- 5 HCS HB 1182 - Munzlinger (1)
- 6 HCS HB 1177 - Guest (5)
- 7 HCS HB 1041 - Cunningham (86)

HOUSE BILL FOR PERFECTION - CONSENT

(2/02/04)

HB 994 - Cunningham (145)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 120, (1-22-04, Pages 124-128) - Crowell (158)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, FEBRUARY 2, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Gracious, Heavenly Father, our Shield and Comforter, Your Word declares, "All the utterances of my mouth are in righteousness, there is nothing crooked or perverted in them." May these words guide us throughout the coming days, weeks and months.

May You, Who inspire us to endure, give us constant encouragement and a mind united for the common good of the state.

May You, the God of hope, fill us with all joy and peace as we seek to serve.

May You keep us sound in spirit, mind and body as we participate in the challenges of our daily duties.

Now may Your grace rest and abide with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Daniel Smith.

The Journal of the thirteenth day was approved as corrected by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter

Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	El-Amin	Haywood	Jones	Lawson
Sander	Shoemaker	Wagner		

VACANCIES: 001

HOUSE RESOLUTION

Representatives Schneider, Munzlinger, Nieves, Brown, Kelly (144), Wilson (130), Phillips, Miller, Cunningham (145), Engler, Quinn, Sutherland, Yates, Threlkeld, Moore, Goodman, Fares, Guest, Pratt, Dusenberger, Hobbs, Bearden, Schaaf, Morris, Byrd, Sander, Walker, Stefanick, Reinhart, Portwood, Luetkemeyer, Ervin, Lipke, Hunter, Richard, Wasson, Ruestman, Icet, Parker, Fraser, Riback Wilson (25), Johnson (90), Yaeger, Whorton, Shoemyer, Barnitz, Crowell, Dixon, Kingery, Cooper (120), Lager, Pearce, Cooper (155), Smith (14), Smith (118), Page, Sager, Walsh, Meiners, Baker, Angst, Johnson (47), Jetton, Dethrow, Behnen, Schoemehl and Hanaway offered House Resolution No. 350.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 274

through

House Resolution No. 280 - Representative Pearce

House Resolution No. 281

through

House Resolution No. 288 - Representative Lager

House Resolution No. 289
through
House Resolution No. 298 - Representative Cooper (120)
House Resolution No. 299 - Representative Salva
House Resolution No. 300 - Representative Moore
House Resolution No. 301 - Representative Cooper (120)
House Resolution No. 302 - Representative Goodman
House Resolution No. 303
and
House Resolution No. 304 - Representative Lager
House Resolution No. 305
through
House Resolution No. 310 - Representative LeVota
House Resolution No. 311 - Representative Wildberger
House Resolution No. 312 - Representative Angst
House Resolution No. 313 - Representative Wood
House Resolution No. 314
through
House Resolution No. 316 - Representative Pratt
House Resolution No. 317
through
House Resolution No. 348 - Representative Hanaway
House Resolution No. 349 - Representative Abel

HOUSE CONCURRENT RESOLUTIONS

Representatives Moore, May, Dusenberg, Lembke, Ervin, Wilson (130), Behnen, Sander, Dempsey, Hobbs, Cooper (120), Hunter, Deeken, Jackson, Emery, Roark, Goodman, Munzlinger, Bruns, Rupp, Miller, Luetkemeyer, Dethrow, Purgason, Angst, Richard, Cunningham (145), Wilson (119), Fares, Walton and Boykins offered House Concurrent Resolution No. 19.

Representative LeVota offered House Concurrent Resolution No. 20.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 48, introduced by Representatives Bearden, Myers, Bivins, Schneider, Baker, Morris, Wilson (119), Stefanick, Goodman, Sutherland, Crawford, Ervin, Bough, King, Reinhart, Jetton, Deeken, Moore, Smith (14) and Stevenson, relating to the right to pray.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1349, introduced by Representative Byrd, relating to child support arrearages.

HB 1350, introduced by Representative Byrd, relating to exemptions from attachment and execution.

HB 1351, introduced by Representatives Moore, Wilson (130), Walker, Goodman, Schlottach, Wildberger and Morris, relating to school bus driver's licenses.

HB 1352, introduced by Representative Hoskins, relating to license plates.

HB 1353, introduced by Representatives Seigfreid, Pearce, Walsh, Moore, Deeken and Witte, relating to payroll cards.

HB 1354, introduced by Representative Byrd, relating to the state legal expense fund.

HB 1355, introduced by Representative Byrd, relating to punitive damages in certain cases.

SECOND READING OF HOUSE BILLS

HB 1307 through **HB 1348** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 950 & 948, relating to the classification of counties, was taken up by Representative Mayer.

Representative Smith (14) assumed the Chair.

On motion of Representative Mayer, **HCS HBs 950 & 948** was adopted.

On motion of Representative Mayer, **HCS HBs 950 & 948** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 350 - Rules

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 1014 - Budget

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 1003 - Health Care Policy

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, February 3, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirteenth Day, Thursday, January 29, 2004, Page 185, Lines 11 and 32, by deleting said lines.

Page 187, line 11, by deleting said line.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 3, 2004, 12:00 p.m. Hearing Room 1.

Executive Session May Follow.

Public hearings to be held on: HB 847, HB 1093

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 3, 2004, 8:00 a.m. Hearing Room 4.

Testimony from the Department of Conservation and the Department of Agriculture.

APPROPRIATIONS - EDUCATION

Tuesday, February 3, 2004, 8:00 a.m. Hearing Room 1.

Testimony from the Department of Education and the Coordinating Board of Higher Education.

Committee will possibly reconvene at 2:30 p.m.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 3, 2004, 8:30 a.m. Hearing Room 7.

Testimony from the Department of Revenue and the Office of Administration. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 3, 2004, 2:45 p.m. Hearing Room 7.
Department of Revenue and the Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 4, 2004, 8:00 a.m. Hearing Room 7.
Testimony from the Department of Revenue. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 4, 2004, 2:45 p.m. Hearing Room 7.
Department of Revenue and the Office of Administration.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 3, 2004, 8:00 a.m. Hearing Room 6.
Public testimony from 8:00a.m.-10:00a.m. Department of Public Safety and the Department of Corrections. Public testimony continued 2:30p.m.-5:00p.m. if necessary.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 3, 2004, 8:15 a.m. Hearing Room 5.
Testimony from the Department of Economic Development.

BUDGET

Wednesday, February 4, 2004, 8:00 a.m. Hearing Room 3.
Presentation of Supplemental Bill.
Public hearings to be held on: HB 1014

CHILDREN AND FAMILIES

Tuesday, February 3, 2004, 5:00 p.m. Hearing Room 1.
Executive Session May Follow.
Public hearings to be held on: HB 1190, HB 799

COMMUNICATION, ENERGY AND TECHNOLOGY

Tuesday, February 3, 2004, Upon Morning Adjournment. Hearing Room 3.
Informational meeting.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 3, 2004, 5:00 p.m. Hearing Room 3.
Executive Session May Follow.
Public hearings to be held on: HB 1094, HB 1183, HB 1053, HB 931

EDUCATION

Wednesday, February 4, 2004, 5:00 p.m. Hearing Room 3.
Public hearings to be held on: HB 777
Executive Session will be held on: HB 1040

EDUCATION

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 7.
Possible Executive Session on HB 777.

ELECTIONS

Tuesday, February 3, 2004, 5:00 p.m. Hearing Room 7.
Public hearings to be held on: HB 1091

FINANCIAL SERVICES

Tuesday, February 3, 2004, 12:00 p.m. Hearing Room 6.
Public hearings to be held on: HB 959, HB 1278
Executive Session will be held on: HB 959

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, February 5, 2004, Upon adjournment. Senate Lounge.
19 CSR 20-28.010 Department of Health and Senior Services. Division of Environmental Health
and Communicable Disease Prevention. Immunization Requirements for School Children.

JUDICIARY

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 1.
Hearing may be continued later in the day if needed.
Public hearings to be held on: HB 1304

LOCAL GOVERNMENT

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 6.
Executive Session May Follow.
Public hearings to be held on: HB 762, HB 913, HB 1070, HB 1071, HB 1095, HB 1161

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 3, 2004, 12:00 p.m. Hearing Room 4.
Educational session regarding Optometrists and Ophthalmologists will be held. Possible
Executive Session on HB 869, HB 955. AMENDED
Public hearings to be held on: HB 792

SENIOR SECURITY

Tuesday, February 3, 2004, 5:00 p.m. Hearing Room 6.
Public hearings to be held on: HB 997, HB 993

SMALL BUSINESS

Wednesday, February 4, 2004, Upon Morning Adjournment Side Gallery.
Executive Session will be held on: HB 978

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, February 3, 2004, 6:00 p.m. Hearing Room 2.

Public hearings to be held on: HB 785

Executive Session will be held on: HB 1074, HB 1129, HCR 8

TAX POLICY

Tuesday, February 3, 2004, 12:00 p.m. Hearing Room 7.

Executive Session May Follow.

Public hearings to be held on: HB 903, HB 812, HB 893, HB 1290

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 3.

Executive Session May Follow.

Public hearings to be held on: HB 844

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, FEBRUARY 03, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 48

HOUSE BILLS FOR SECOND READING

HB 1349 through HB 1355

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 980 - Myers (160)
- 4 HCS HB 1182 - Munzlinger (1)
- 5 HCS HB 1177 - Guest (5)
- 6 HCS HB 1041 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/02/2004)

HB 994 - Cunningham (145)

HOUSE BILL FOR THIRD READING

HCS HB 950 & 948, E.C. - Mayer (159)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 120, (1-22-04, Pages 124-128) - Crowell (158)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, FEBRUARY 3, 2004

The House met pursuant to adjournment.

Representative Dethrow in the Chair.

Prayer by Reverend Donald W. Lammers.

Lord our God, we thank You for the blessing of a society where every vote counts.

We give thanks for the thousands of votes in the past elections that placed us in public office. We pray for the wisdom and the courage today to participate in the political life of the State of Missouri in ways that are always in harmony with Your Holy will.

We pray for the people, the citizens of our state. Give them the vision that every voice matters in the public forum, and that every vote has meaning. Inspire them on this voting Tuesday to prove themselves faithful citizens by going to the polls to vote. In this simple act, help them experience their personal dignity, their individual power, and the fulfillment of their duty before all the people and even before their God.

When the voting is over, give us the humility to discern the meaning of the results. May those results help us to continue our work in this House of Representatives in harmony with Your will.

We pray to You, who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Kate Portwood.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke

Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery El-Amin Shoemaker

VACANCIES: 001

Speaker Hanaway assumed the Chair.

Representative Dethrow resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 351	-	Representative Angst
House Resolution No. 352	-	Representative Crawford
House Resolution No. 353	-	Representative Whorton
House Resolution No. 354	-	Representative Sander
House Resolution No. 355	-	Representative Liese
House Resolution No. 356	-	Representative Carnahan
House Resolution No. 357	-	Representative Baker

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1356, introduced by Representatives Skaggs and Deeken, relating to public retirement systems.

HB 1357, introduced by Representatives Skaggs and Deeken, relating to public retirement systems.

HB 1358, introduced by Representatives Wasson, Quinn, Bivins, Dethrow, Bringer, Munzlinger, Guest, Schlottach, Hobbs, Barnitz, Bland, Schaaf, Page, Carnahan, Burnett and Behnen, relating to dental assistants.

HB 1359, introduced by Representatives Lowe, Walsh, Bough, Cooper (155), LeVota, Wildberger, Jackson, Smith (14), Shoemaker, Ruestman, Kratky, Burnett, Vogt, Brown, Witte, Self, Schoemehl, Salva and Bearden, relating to Korean War Veterans' license plates.

HB 1360, introduced by Representatives Jackson and Davis (122), relating to eligible pupil counts.

HB 1361, introduced by Representatives Hobbs, Kelly (144), Dethrow and Townley, relating to the joint municipal utility commission act.

HB 1362, introduced by Representatives Hobbs, Rector, Rupp, Roark, Riback Wilson (25), Emery, Graham and Harris (23), relating to regulation of subdivisions in unincorporated areas.

HB 1363, introduced by Representatives Fares, Bivins, Hanaway, Moore, Jackson, Sutherland, Stefanick, Wright, Lembke, Parker, Bearden, Threlkeld, Fraser, Nieves, Portwood, Donnelly, Corcoran, Schoemehl, Smith (14), Kratky, Daus, Jones, George, Boykins, Icet, Carnahan, Yaeger, St. Onge, Hilgemann, Byrd, Schlottach, Page, Spreng, Hoskins, Thompson, Liese, Vogt, Walsh, Lowe, Rupp, Davis (19), Dempsey and Zweifel, relating to an archival facility in St. Louis.

HB 1364, introduced by Representatives Bishop, Donnelly, Burnett and Vogt, relating to parenting plans.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 48 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1349 through **HB 1355** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 980, relating to environmental rules, was taken up by Representative Myers.

Representative Myers offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Myers offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 980, Page 1, Section 640.014, Line 12, by deleting the words “**peer-reviewed**”; and

Further amend said bill, Page 2, Section 640.014, Line 12, by deleting the words “**peer-reviewed and**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Myers, **House Amendment No. 2** was adopted.

Representative Selby offered **House Amendment No. 3**.

Representative Stevenson raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dethrow requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Myers, **HCS HB 980, as amended**, was adopted.

On motion of Representative Myers, **HCS HB 980, as amended**, was ordered perfected and printed.

HCS HB 1182, relating to tax credits, was taken up by Representative Munzlinger.

HCS HB 1182 was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 358	-	Representative Portwood
House Resolution No. 359	-	Representative Campbell
House Resolution No. 360	-	Representative Black
House Resolution No. 361	-	Representative Villa
House Resolution No. 362	-	Representative Munzlinger
House Resolution No. 363	-	Representative Wasson
House Resolution No. 364	-	Representative Brown
House Resolution No. 365		
through		
House Resolution No. 368	-	Representative Dusenberg

House Resolution No. 369
through
House Resolution No. 371 - Representative Dethrow

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 49, introduced by Representatives Lager, Bearden, Wasson, Morris, Dixon, Icet, Wright, Ervin, Schneider, Baker, Wood, Roark, Wilson (130), Stevenson, Portwood, Crawford, Bough, King, Sander, Reinhart, Hunter, Stefanick, Goodman, Jetton, Deeken, Moore, Phillips, Shoemaker, Munzlinger, Sutherland, Myers, Cunningham (86), Bivins, Quinn, Davis (19) and Brown, relating to limits on state appropriations.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1365, introduced by Representatives McKenna, Wagner, Johnson (90), Harris (110) and Selby, relating to mechanical codes.

HB 1366, introduced by Representatives Dougherty, LeVota, Young, Whorton and Meiners, relating to biennial license plates.

HB 1367, introduced by Representatives Lembke, Schneider, Portwood, Dusenberg, Dempsey, Bivins, Townley, Dixon, Lipke, Ervin, LeVota, Green, Reinhart, Icet, Cooper (120), Threlkeld, Nieves, Cunningham (86), Kelly (144), Baker, Dethrow, Bishop, Rector, Emery, Phillips, Wood, Cunningham (145), Angst, Richard, Wright, Crowell, Jetton, Hunter, Pearce, Parker, Byrd, Jackson, Rupp, Hobbs, May, Schaaf, Bearden, Roark, Bean, Brown, Ruestman, Wilson (119), Stevenson, Moore, Marsh, Goodman, Engler, Dougherty, Hubbard, Smith (14), Stefanick, Cooper (155), Purgason, Vogt, Yaeger, Bruns, Johnson (47), Willoughby, Hanaway, Munzlinger, Pratt, Yates, Kingery, Lager, Darrough, Quinn, Young, Schlottach, Ward and Carnahan, relating to a homestead exemption for the elderly.

HB 1368, introduced by Representatives Salva and Portwood, relating to licensure of massage therapists.

PERFECTION OF HOUSE BILLS

HCS HB 1182, relating to tax credits, was again taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 1182** was adopted.

On motion of Representative Munzlinger, **HCS HB 1182** was ordered perfected and printed.

HCS HB 1177, relating to concentrated animal feeding operations, was taken up by Representative Guest.

Representative Guest offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1177, Page 10, Section 644.016, Line 98, by deleting the open bracket "[" and Line 99 by deleting the closed bracket "]"; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Guest, **House Amendment No. 1** was adopted.

Representative Wright assumed the Chair.

HCS HB 1177, as amended, was laid over.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 777 - Special Committee on General Laws

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, February 4, 2004.

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 4, 2004, 8:00 a.m. Hearing Room 7.
Testimony from the Department of Revenue. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 4, 2004, 2:45 p.m. Hearing Room 7.
Department of Revenue and the Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION
Thursday, February 5, 2004, 8:00 a.m. Hearing Room 7.
Department of Revenue and the Office of Administration.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Monday, February 9, 2004, 2:00 p.m. Hearing Room 6.
Public testimony solely for the purpose of the possible closing of the Chillicothe prison.

BUDGET

Wednesday, February 4, 2004, 8:00 a.m. Hearing Room 3.
Presentation of Supplemental Bill.
Public hearing to be held on: HB 1014

CONSERVATION AND NATURAL RESOURCES

Thursday, February 5, 2004, 8:15 a.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: HB 1277

EDUCATION

Wednesday, February 4, 2004, 5:00 p.m. Hearing Room 3. AMENDED
Public hearings to be held on: HB 773, HB 1033, HB 853, HB 854
Executive session will be held on: HB 1040

EDUCATION

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 7.
CANCELLED

HEALTH CARE POLICY

Wednesday, February 4, 2004, 5:00 p.m. Hearing Room 6.
Public hearing to be held on: HB 852
Executive session will be held on: HB 855

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: HCR 16

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, February 5, 2004, Senate Lounge upon adjournment.
19 CSR 20-28.010 Department of Health and Senior Services.
Division of Environmental Health and Communicable Disease Prevention.
Immunization Requirements for School Children.

JUDICIARY

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 1.
Hearing may be continued later in the day if needed.
Public hearing to be held on: HB 1304

LOCAL GOVERNMENT

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 762, HB 913, HB 1070, HB 1071, HB 1095, HB 1161

RULES

Wednesday, February 4, 2004, 8:30 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HR 350, HR 196, HR 6

SMALL BUSINESS

Wednesday, February 4, 2004, Side Gallery upon morning adjournment.

Executive session will be held on: HB 978

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 4, 2004, 5:00 p.m. Hearing Room 5.

Executive session possible.

Public hearings to be held on: HB 777

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 4, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 844

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 4, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 49

HOUSE BILLS FOR SECOND READING

HB 1356 through HB 1368

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1177, as amended - Guest (5)
- 4 HCS HB 1041 - Cunningham (86)

HOUSE BILL FOR PERFECTION - CONSENT

(2/02/2004)

HB 994 - Cunningham (145)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 950 & 948, E.C. - Mayer (159)
- 2 HCS HB 980 - Myers (160)
- 3 HCS HB 1182 - Munzlinger (1)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 120, (1-22-04, Pages 124-128) - Crowell (158)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 4, 2004

The House met pursuant to adjournment.

Representative Angst in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, in Your Word, You have said, "Where there is no guidance the people fall, but in the abundance of counselors there is victory." So we fall not, for we seek much counsel from You.

May You give us, by Your grace, unending encouragement and unfailing hope. May You inspire us with courage and confidence in every good thing we say or do.

Where there is stress and anxiety, we ask for peace and rest. We may make our plans, but we ask You to direct our hearts.

Now may the grace of our Lord and the love of God be with us all.

In Your Son's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Malcom Nolan Fares.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery

Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Pratt	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Boykins	Crawford	Dempsey	El-Amin
Portwood	Purgason	Shoemaker		

VACANCIES: 001

HOUSE RESOLUTIONS

Representatives Black and Lowe offered House Resolution No. 372.
Representative Henke, et al, offered House Resolution No. 390.
Representative Wilson (42), et al, offered House Resolution No. 392.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 373 - Representative Skaggs
House Resolution No. 374 - Representatives LeVota and Skaggs
House Resolution No. 375 - Representative Witte
House Resolution No. 376 - Representative Hobbs
House Resolution No. 377
through
House Resolution No. 385 - Representative Kingery
House Resolution No. 386 - Representative Wilson (130)
House Resolution No. 387 - Representative Lager
House Resolution No. 388 - Representatives Guest and Lager
House Resolution No. 389 - Representative Lager
House Resolution No. 391 - Representative Wagner

House Resolution No. 393

and

House Resolution No. 394 - Representative Riback Wilson (25)

House Resolution No. 395 - Representative Witte

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1369, introduced by Representatives Jetton and Crowell, relating to civil actions for damages.

HB 1370, introduced by Representatives Dempsey, Cooper (120), Hanaway, Bearden, Smith (14), Jetton, Pearce and Sutherland, relating to tax credit accountability.

HB 1371, introduced by Representatives Dempsey, Portwood, Hanaway, Rupp, Smith (14), Stefanick, Walton, Dougherty, Willoughby, Schlottach, Dixon, Jetton, St. Onge and Reinhart, relating to the Missouri homestead preservation act.

HB 1372, introduced by Representatives Skaggs, Kelly (36), Daus, LeVota, Henke, Zweifel, Barnitz, Bishop, Sager, Abel, Walsh, Selby, Swinger, Hubbard and Hoskins, relating to license plates.

HB 1373, introduced by Representative Haywood, relating to retirement for state employees.

HB 1374, introduced by Representatives Crawford, Rector, Muckler, Sutherland, Moore, Reinhart, Cunningham (86), Sander, Wilson (130), Jetton, Hanaway, McKenna, Threlkeld, Icet, Crowell, Kuessner, Kingery, Bivins, Henke, Engler and Black, relating to the state's policy of protection of human life.

HB 1375, introduced by Representatives Crawford, Sander and Jetton, relating to the agricultural production contract code.

HB 1376, introduced by Representatives Ward, Harris (23), Barnitz, Hampton, Carnahan, Wildberger, Yaeger and Kuessner, relating to controlled substances.

HB 1377, introduced by Representatives Sutherland, Smith (118), Johnson (47) and Brown, relating to expenses of county planning commissions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 49 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1356 through **HB 1368** were read the second time.

Speaker Hanaway assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1177, as amended, relating to concentrated animal feeding operations, was taken up by Representative Guest.

Representative Guest offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1177, Section 640.710, Pages 3 and 4, Lines 40 to 43, by deleting all of said lines and inserting in lieu thereof the following:

"Provided however, local governing bodies may impose controls more restrictive than the provisions of sections 640.703 to 640.758 if prior to imposing more restrictive controls, the local governing body shall seek and receive a recommendation from the respective soil and water conservation district board. Such recommendation shall be based on peer-reviewed scientific and economic data that clearly documents the geological, environmental, and economic impact of the more restrictive controls. If no recommendation is received from the respective soil and water conservation district board within one hundred eighty days, the local governing body may impose the more restrictive controls."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Angst resumed the Chair.

On motion of Representative Guest, **House Amendment No. 2** was adopted.

Representative Wood offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1177, Page 2, Section 640.703, Line 15, by inserting immediately after the figure "**2003**" the following:

"except that the quantity referring to chickens in 40 CFR 122.23(b)(4)(x) shall be one hundred thousand";
and

Further amend said bill, Page 2, Section 640.703, Line 29, by inserting immediately after the figure "**2003**" the following:

"except that the quantity referring to chickens in 40 CFR 122.23(b)(6)(i)(J) shall be thirty thousand to ninety-nine thousand nine hundred ninety-nine"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Stevenson offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1177, Line 5, by inserting immediately after “(X)” the following: “**for the purposes of sections 680.703 to 680.758**”; and

Further amend said amendment, Line 9, by inserting immediately after “(J)” the following: “**for purposes of sections 640.703 to 640.758**”.

On motion of Representative Stevenson, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Wood, **House Amendment No. 3, as amended**, was adopted by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Cooper 120	Cooper 155
Corcoran	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Boykins	Carnahan	Crawford
El-Amin	Lawson	Purgason	Shoemaker	

VACANCIES: 001

Speaker Pro Tem Jetton assumed the Chair.

Representative Dempsey offered **House Amendment No. 4**.

Representative Goodman raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS HB 1177, as amended, was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Angst.

HOUSE RESOLUTION

Representatives Bruns and Deeken offered House Resolution No. 397.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 396	-	Representative Cooper (155)
House Resolution No. 398	-	Representative Icet
House Resolution No. 399	-	Representative Dethrow
House Resolution No. 400		
through		
House Resolution No. 402	-	Representative Hunter
House Resolution No. 403	-	Representative Rupp
House Resolution No. 404		
and		
House Resolution No. 405	-	Representative Lager
House Resolution No. 406	-	Representative Hilgemann

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1378, introduced by Representatives Pearce, Davis (122), Seigfreid, Lager, Dixon, Bishop, Stefanick and Dempsey, relating to the no-call list.

HB 1379, introduced by Representatives Johnson (47), Guest and Wildberger, relating to the rehabilitation of certain offenders.

HB 1380, introduced by Representatives Lager, Wasson, Jetton, Cunningham (86), Wallace, Baker, Bivins, Stevenson, Wilson (130), Bearden, Guest, Dempsey, Wilson (119), Schlottach, Reinhart, Crowell, Portwood, Dusenberg, Brown, Behnen, Munzlinger, Byrd, Bruns, Deeken, Lipke, Rupp, Goodman, Richard, Sutherland, Angst, Smith (118), Cunningham (145), Bough, Self, Quinn, Kelly (144), Phillips, Sander, Ervin, Emery, May, Davis (122), Bean, Threlkeld, Kingery, Hobbs, Yates, Roark, Dixon, Black, Ruestman, Mayer, Myers, Pearce, Stefanick, Dethrow, Wood, Morris, Moore, Rector, Hanaway, Townley, Barnitz, King, Schaaf, Taylor, Wright, Purgason, Wagner, Lawson, Campbell, Nieves, Willoughby, Wildberger, Skaggs, Kratky, Kuessner, Shoemyer, Ransdall, Hampton, Pratt, Icet, Cooper (155), Luetkemeyer, Smith (14), LeVota and Parker, relating to state aid for schools.

HB 1381, introduced by Representatives Jackson, Jetton, Baker, Dusenberg, Brown and Bough, relating to veterans' outreach and education programs.

HB 1382, introduced by Representatives Jackson, Jetton, Brown, Baker, Dusenberg and Bough, relating to the veterans' historical education trust fund.

HB 1383, introduced by Representatives Townley and Brown, relating to sewer companies.

HB 1384, introduced by Representatives Sanders Brooks, Kelly (36), Byrd, Curls, Salva, Wilson (42), Jolly, Parker, Hubbard, Johnson (61), Bishop, Johnson (90), Curls, Ward and Hoskins, relating to records.

HB 1385, introduced by Representatives Dixon, Bough, Wood, Schneider, Cunningham (86), Lembke, Witte, Wilson (130), Ruestman, Viebrock, Sutherland, Dempsey, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Jolly, Wilson (42), Mayer, Nieves, Bruns, Burnett, Corcoran, Dusenberg, Kelly (36), Kelly (144), Kuessner, Sander, St. Onge, Swinger, Bivins, Muckler and Stefanick, relating to abuse of authority over a child.

HB 1386, introduced by Representatives Dixon, Bough, Jolly, Wood, Schneider, Lembke, Wildberger, Witte, Wilson (130), Ruestman, Viebrock, Sutherland, Dempsey, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Mayer, Nieves, Bruns, Burnett, Dusenberg, Kelly (36), Kelly (144), Sander, St. Onge, Swinger, Bivins and Muckler, relating to prior, persistent, and predatory sexual offenders.

HB 1387, introduced by Representatives Dixon, Bough, Jolly, Wood, Schneider, Lembke, Bean, Wildberger, Witte, Wilson (130), Ruestman, Viebrock, Sutherland, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Bringer, Wilson (42), Mayer, Nieves, Bruns, Burnett,

Dusenberg, Goodman, Kelly (36), Kelly (144), Sander, St. Onge, Swinger, Bivins and Stefanick, relating to sex offender registration.

HB 1388, introduced by Representatives Dixon, Bough, Wood, Schneider, Jolly, Lembke, Wildberger, Witte, Wilson (130), Ruestman, Viebrock, Sutherland, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Nieves, Bruns, Burnett, Dusenberg, Goodman, Kelly (36), Kelly (144), Sander, St. Onge, Swinger, Bivins and Stefanick, relating to sex offender registration.

HB 1389, introduced by Representatives Dixon, Cunningham (86), Jolly, Ruestman, Bough, Wood, Schneider, Lembke, Wildberger, Witte, Viebrock, Sutherland, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Bringer, Nieves, Bruns, Burnett, Dusenberg, Kelly (36), Kelly (144), St. Onge, Swinger, Bivins and Stefanick, relating to sexual offenders.

HB 1390, introduced by Representatives Dixon, Bough, Cooper (120), Wood, Schneider, Lembke, Witte, Wilson (130), Ruestman, Viebrock, Sutherland, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Selby, Nieves, Bruns, Corcoran, Dusenberg, Kelly (36), Kelly (144), Kuessner, Sander, St. Onge, Swinger, Bivins, Stefanick and Lipke, relating to expenses and costs of commitment to a county jail.

HB 1391, introduced by Representatives Dixon, Ruestman, Bough, Wood, Schneider, Lembke, Witte, Wilson (130), Viebrock, Sutherland, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Nieves, Bruns, Corcoran, Dusenberg, Kelly (36), Kelly (144), Kuessner, Sander, St. Onge, Swinger, Bivins, Stefanick and Lipke, relating to escape.

HB 1392, introduced by Representatives Dixon, Bough, Wood, Schneider, Witte, Wilson (130), Ruestman, Viebrock, Sutherland, Dempsey, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Nieves, Bruns, Corcoran, Dusenberg, Goodman, Kelly (36), Kelly (144), Kuessner, Sander, St. Onge, Swinger, Bivins and Lipke, relating to a Missouri state highway patrol web page.

HB 1393, introduced by Representatives Dixon, Bough, Wood, Schneider, Witte, Wilson (130), Ruestman, Viebrock, Sutherland, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Threlkeld, Marsh, Nieves, Bruns, Corcoran, Dusenberg, Kelly (36), Kelly (144), Kuessner, Sander, St. Onge, Swinger and Bivins, relating to court costs.

HB 1394, introduced by Representatives Dixon, Ruestman, Bough, Wood, Schneider, Witte, Wilson (130), Viebrock, Sutherland, Yates, Luetkemeyer, Parker, Icet, Wright, Morris, Roark, Threlkeld, Marsh, Nieves, Bruns, Dusenberg, Kelly (36), Kelly (144), Kuessner, St. Onge, Swinger and Bivins, relating to sex offender registration.

HB 1395, introduced by Representatives Cunningham (86) and Stefanick, relating to property taxation.

HB 1396, introduced by Representatives Cunningham (86) and Sander, relating to the visibility of street addresses.

HB 1397, introduced by Representatives Wilson (130), Hunter, Cunningham (86), Ruestman, Richard, Emery, Munzlinger, Kelly (144), Nieves, Portwood, Jetton, Sutherland, Angst, Phillips, Smith (118), Jackson, Self, Threlkeld, Crowell, Dempsey, Wasson, King, Bivins, Wallace, Wilson (119), Dusenberg, Schlottach, Myers, Black, Bearden, Brown, Morris, Schaaf, Reinhart, Marsh, Wright, Roark, Cooper (120), Hobbs, Lager, Dixon, Dethrow, Cunningham (145), Quinn, Taylor, Engler, Kingery, Icet, Deeken, May, Rector, Rupp, Baker, Wood, Purgason, Davis (19), Stefanick, Viebrock, Luetkemeyer, Ervin, Behnen, Sander, Pearce, Johnson (47), Guest, Bough, Pratt, Yates and Cooper (155), relating to workers' compensation.

PERFECTION OF HOUSE BILL

HCS HB 1177, as amended, relating to concentrated animal feeding operations, was again taken up by Representative Guest.

On motion of Representative Guest, **HCS HB 1177, as amended**, was adopted by the following vote:

AYES: 100

Angst	Baker	Barnitz	Bearden	Behnen
Bivins	Black	Bough	Boykins	Bringer
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Crowell	Cunningham 145	Cunningham 86	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hampton	Henke	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Jones
Kelly 144	Kelly 36	King	Kingery	Lager
Lawson	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Wallace
Walton	Wasson	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Madam Speaker

NOES: 053

Abel	Bishop	Bland	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrough
Daus	Donnelly	Fraser	George	Graham
Green	Harris 110	Harris 23	Hilgemann	Hoskins
Hubbard	Johnson 47	Johnson 61	Johnson 90	Jolly
Kratky	LeVota	Liese	Lowe	McKenna
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Thompson	Vogt	Wagner	Walker
Walsh	Ward	Wildberger	Willoughby	Wilson 25
Wilson 42	Young	Zweifel		

PRESENT: 002

Dougherty Kuessner

ABSENT WITH LEAVE: 007

Avery Bean Crawford El-Amin Haywood
Shoemaker Yaeger

VACANCIES: 001

On motion of Representative Guest, **HCS HB 1177, as amended**, was ordered perfected and printed.

HOUSE RESOLUTION

HR 120, relating to the Rules of the House, was taken up by Representative Crowell.

Representative Crowell offered **HS HR 120**.

Representative LeVota offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Resolution No. 120, Page 10, Rule 45 (g), Line 24, by inserting immediately after said line the following:

“6. No appropriation bill will make appropriations in a single lump-sum amount to any one executive department, except as provided by the constitution.”.

Representative LeVota moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Henke
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Young	Zweifel

NOES: 083

Angst	Baker	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Crawford	El-Amin	Haywood
Miller	Moore	Shoemaker	Yaeger	

VACANCIES: 001

Representative Harris (23) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Resolution No. 120, Page 7, Lines 12 through 23, by deleting all of said lines and inserting in lieu thereof the following:

“Committee Hearings

Rule 27. **A bill must be assigned to the committee before the Chairman posts notice that the bill will be heard.** All bills referred to committees shall be considered by giving the author, the proponents and the opponents a reasonable opportunity to be heard. A committee chair shall not restrict the length of testimony of any witness nor the length of questioning of any witness by a committee member except that the "15 minute rule" shall apply. At the Chair's discretion, the "15 minute rule" may be extended. The "15 minute rule" may only be shortened by the unanimous consent of the committee members present when such waiver is proposed. Persons addressing the committee shall keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. The time limits set forth in this rule shall apply to witnesses as well as members.”.

Speaker Pro Tem Jetton resumed the Chair.

Speaker Hanaway resumed the Chair.

Representative Harris (23) moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Darrrough	Daus	Davis 122	Donnelly
Dougherty	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemaker	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Young	Zweifel	

NOES: 085

Angst	Baker	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bean	Crawford	Curls	El-Amin
Haywood	Miller	Yaeger		

VACANCIES: 001

Representative Donnelly offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Resolution No. 120, Page 7, Section 27, Line 23, by deleting the period at the end of said line and inserting at the end of said line the following:

“, provided, however, that the time allowed proponents and opponents shall be substantially equal.”.

Representative Donnelly moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Darrough	Daus	Davis 122	Donnelly
Dougherty	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Young	Zweifel		

NOES: 085

Angst	Baker	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Goodman
Guest	Hobbs	Holand	Hunter	Iceet
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

PRESENT: 001

Fares

ABSENT WITH LEAVE: 008

Avery	Bean	Crawford	Curls	El-Amin
Haywood	Shoemaker	Yaeger		

VACANCIES: 001

Representative Witte offered **House Amendment No. 4**.

Representative Crowell raised a point of order that **House Amendment No. 4** is dilatory.

The Chair ruled the point of order well taken.

Representative Seigfreid offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Resolution No. 120, Page 3, Rule 25(9)(b), Line 36, by inserting immediately after the “.” on said line the following: “**Prior to the Speaker restating the motion before the house the Speaker shall open the pending measure for discussion.**”.

Representative Ransdall offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Resolution No. 120, Page 3, Rule 25(9)(b), Lines 15 through 17, by deleting all of said lines and insert in lieu thereof the following:

“Committee on Budget. **Such motion shall only be timely for a House Bill after the bill has been ordered perfected & printed.** The primary sponsor or, in the case of Senate Bill, the floor handler, of a”.

Representative Ransdall moved that **House Substitute Amendment No. 1 for House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Young	Zweifel		

NOES: 085

Angst	Baker	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer

Marsh	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Carnahan	Crawford	El-Amin
Haywood	Holand	Shoemaker	Yaeger	

VACANCIES: 001

Representative Seigfreid moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Johnson (90) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Resolution No. 120, Page 1, Line 5, by inserting after the number "53," the number "72"; and

Further amend said resolution, Page 11, Line 3, by inserting after said line the following:

“Previous Question

Rule 72. Any member may move the previous question[.], **provided that a member of the majority and minority caucuses have been recognized to speak on the question under consideration.** The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.”.

Representative Johnson (90) moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Darrough	Daus	Davis 122	Donnelly
Dougherty	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann

Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Young	Zweifel		

NOES: 084

Angst	Baker	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bean	Crawford	Curls	El-Amin
Haywood	Holand	Shoemaker	Taylor	Yaeger

VACANCIES: 001

Representative Seigfreid offered **House Amendment No. 7**.

Representative Pratt raised a point of order that **House Amendment No. 7** is not germane to the House Substitute.

The Chair ruled the point of order well taken.

On motion of Representative Crowell, **HS HR 120** was adopted.

On motion of Representative Crowell, **HS HR 120** was adopted by the following vote:

AYES: 086

Angst	Baker	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd

Cooper 120	Cooper 155	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 067

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Darrough	Daus	Davis 122	Donnelly
Dougherty	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Crawford	Curls	El-Amin
Haywood	Shoemaker	Ward	Yaeger	

VACANCIES: 001

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 980 - Budget (Fiscal Note)
HB 1200 - Transportation and Motor Vehicles
HB 1244 - Job Creation and Economic Development

COMMITTEE REPORTS

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HR 196**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 196

WHEREAS, Campus Compact is a national organization interested in promoting civic engagement on college and university campuses; and

WHEREAS, more than 900 colleges and universities across the country are members of Campus Compact; and

WHEREAS, Missouri is one of 29 states with a Campus Compact organization whose goal is to "help students develop the values and skills of civic participation through involvement in public service"; and

WHEREAS, the Missouri Campus Compact currently has 29 member institutions, both two-year and four-year, from across the state; and

WHEREAS, in cooperation with the Pew Charitable Trusts and National Campus Compact, the Missouri Campus Compact is participating in the two-year "Raise Your Voice" program, which includes conducting dialogues among student leaders on two major questions: 1) What public, civic issues are students interested in? and 2) How are students addressing these issues?; and

WHEREAS, approximately 100 students from across Missouri will participate in the second "Raise Your Voice" program in Jefferson City in February 2004; and

WHEREAS, the first year of the program in 2003 was highly successful and received positive feedback from the participants:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the Missouri Campus Compact permission to use the House Chamber on Thursday, February 12, 2004, from 1:30 p.m. to 3:30 p.m. to conduct the "Raise Your Voice" student dialogues; and

BE IT FURTHER RESOLVED that the members of the Missouri House of Representatives are encouraged to attend this event to become better informed about the perceptions, opinions, and ideas of the next generation of Missouri leaders.

Madam Speaker: Your Committee on Rules, to which was referred **HR 350**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 350

WHEREAS, diseases of the heart are the nation's leading cause of death and stroke is the third leading cause of death; and

WHEREAS, cardiovascular diseases (CVD) are the leading cause of death among women; and

WHEREAS, heart attack, stroke, and other cardiovascular diseases claim the lives of more than half a million women each year - more than the next seven causes of death combined, and nearly twice as many as all forms of cancer, including breast cancer; and

WHEREAS, the cost of cardiovascular diseases and stroke in the United States is estimated at \$352 billion; and

WHEREAS, one of five females in the United States have some form of cardiovascular disease; and

WHEREAS, 63% of women who died suddenly of coronary heart disease had no previous symptoms of this disease; and

WHEREAS, February is designated as American Heart Month; and

WHEREAS, the American Heart Association is launching a new campaign, Go Red for Women, to encourage women to pay attention to their hearts and help them live longer, stronger lives by reducing the risk for cardiovascular disease:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim February 6, 2004, to be "Wear Red for Women Day".

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 23**.

SENATE CONCURRENT RESOLUTION NO. 23

WHEREAS, nature has set apart portions of St Charles County and St. Louis County by the waters flowing from the Missouri River; and

WHEREAS, several bridges span the Missouri River in St. Louis County and St. Charles County; and

WHEREAS, three particular bridges spanning the Missouri River between St. Charles County and St. Louis County have been unofficially named for many years; and

WHEREAS, these three particular bridges carry 350,000 motor vehicles daily through St. Charles County and St. Louis County:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby instruct the State Highways and Transportation Commission and the Department of Transportation to take action immediately to designate the bridge crossing the Missouri River between St. Charles and St. Louis County on Interstate 70 the "Blanchette Memorial Bridge"; and

BE IT FURTHER RESOLVED that the State Highways and Transportation Commission and the Department of Transportation take action immediately to designate the bridge crossing the Missouri River on U.S. Route 40/61 the "Daniel Boone Bridge"; and

BE IT FURTHER RESOLVED that the State Highways and Transportation Commission and the Department of Transportation take action immediately to designate the bridge crossing the Missouri River on Highway 370 the "Discovery Bridge"; and

BE IT FURTHER RESOLVED that neither the Missouri Department of Transportation nor the state shall be obligated to provide any funding or remuneration to commemorate or memorialize the three designated bridges; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the State Highways and Transportation Commission and the director of the Department of Transportation.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, February 5, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1126

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Thursday, February 5, 2004, Hearing Room 5 upon morning adjournment.

Testimony from the Department of Agriculture. CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 5, 2004, 8:00 a.m. Hearing Room 7.

Department of Revenue and the Office of Administration.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 9, 2004, 2:00 p.m. Hearing Room 6.

Public testimony solely for the purpose of the possible closing of the Chillicothe prison.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 10, 2004, 8:00 a.m. Hearing Room 6.

Department of Public Safety and Corrections. Department presentations.

Review Governor's budget recommendations.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 6.

Department of Public Safety and Corrections. Department presentations.

Review Governor's budget recommendations.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 12, 2004, Hearing Room 6 upon morning adjournment.

Department of Public Safety and Corrections. Department presentations.

Review Governor's recommendations.

BUDGET

Tuesday, February 10, 2004, 8:00 a.m. Hearing Room 3.

Fiscal review HB 980.

Executive session will be held on: HB 1014

CONSERVATION AND NATURAL RESOURCES

Thursday, February 5, 2004, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1277

EDUCATION

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 7.

CANCELLED

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, February 5, 2004, Hearing Room 4 upon morning adjournment.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, February 5, 2004, Senate Lounge upon adjournment.

19 CSR 20-28.010 Department of Health and Senior Services.

Division of Environmental Health and Communicable Disease Prevention.

Immunization Requirements for School Children.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Monday, February 9, 2004, 1:00 p.m. Hearing Room 5.

Challenge fiscal note HB 969.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Friday, February 13, 2004, 8:30 a.m. Senate Lounge.

LOCAL GOVERNMENT

Thursday, February 5, 2004, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 762, HB 913, HB 1070, HB 1071, HB 1095, HB 1161

HOUSE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 05, 2004

HOUSE BILLS FOR SECOND READING

HB 1369 through HB 1397

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041 - Cunningham (86)

HOUSE BILL FOR PERFECTION - CONSENT

(2/02/04)

HB 994 - Cunningham (145)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 950 & 948, E.C. - Mayer (159)
- 2 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 3 HCS HB 1182 - Munzlinger (1)
- 4 HCS HB 1177 - Guest (5)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 350, (2-04-04) - Schneider (17)
- 3 HR 196, (2-04-04) - Morris (138)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, FEBRUARY 5, 2004

The House met pursuant to adjournment.

Representative Ruestman in the Chair.

Prayer by Reverend Donald W. Lammers.

(By February 5th, the average American wage earner has earned enough to pay his/her food bill for the entire year of 2004.)

God, our Father, we marvel at the abundant resources of our Nation for food production. We marvel even more at the ingenuity, the talent, and the hard work of those who work in agriculture and provide such an abundance of food at such affordable cost. We feel secure and protected as we live in a state that is so much a part of food production in our land.

Guide our vision to every part of our nation and the entire world where people are hungry, and give us the ability to feed them.

Be with us throughout all our work of this day.

We pray for the safety of all who travel the highways and the airways during the volatile weather of this day. And we pray for all who maintain our highways and airports.

We pray for our men and women in the armed forces. May their worthy missions be accomplished. And may they soon return safely home.

We pray to You, who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 407

through

House Resolution No. 409 - Representative Lager

House Resolution No. 410 - Representative Smith (14)

House Resolution No. 411

and

House Resolution No. 412 - Representative Lager

House Resolution No. 413
and
House Resolution No. 414 - Representative Bough
House Resolution No. 415
and
House Resolution No. 416 - Representative Munzlinger
House Resolution No. 417 - Representative Witte
House Resolution No. 418
and
House Resolution No. 419 - Representative Pearce
House Resolution No. 420 - Representative Walton
House Resolution No. 421
through
House Resolution No. 425 - Representative Young
House Resolution No. 426 - Representative Dusenberg
House Resolution No. 427 - Representative Hilgemann
House Resolution No. 428
through
House Resolution No. 432 - Representative Lager
House Resolution No. 433 - Representative Quinn
House Resolution No. 434
and
House Resolution No. 435 - Representative Witte
House Resolution No. 436
and
House Resolution No. 437 - Representative LeVota
House Resolution No. 438 - Representative Wilson (119)

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 21, introduced by Representatives Ruestman, King, Wood, Wilson (130), Bean, Stefanick, Kingery, Richard, May, Goodman, Smith (118), Davis (19), Black, Lipke, Dixon, Liese, Kuessner, Rector, Townley, Stevenson, Yaeger, Schneider, Schaaf, Bivins, Luetkemeyer, Hunter, Hobbs, Morris, Yates, Brown, Dusenberg, Nieves, Rupp, Emery, Sander, Cunningham (145), Schlottach, Lager, Bough, Baker, Schoemehl, Wilson (119), Angst, Dempsey, Parker, Reinhart, Ervin, Lembke, Deeken, Threlkeld, Smith (14), Pearce, Harris (110), Phillips, Dethrow, Sanders Brooks, Pratt and Holand, relating to the Poultry Industry Committee.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1002, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1003, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1004, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1005, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1006, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1007, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1008, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1009, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1010, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Missouri Senior Rx Program to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

HB 1012, introduced by Representative Bearden, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1398, introduced by Representative Lager, relating to depositaries for city funds.

HB 1399, introduced by Representative Lager, relating to athletic trainers.

HB 1400, introduced by Representative Lager, relating to fireworks regulation.

HB 1401, introduced by Representatives Goodman, Taylor, Stevenson, Ruestman, Munzlinger, Dixon, Viebrock and Selby, relating to drivers' licenses.

HB 1402, introduced by Representatives Goodman, Hanaway, Hobbs, Stefanick, Threlkeld, Baker, LeVota, Dusenber, Seigfreid, Davis (122), Munzlinger, Yates, Morris, Lembke, Myers, Nieves, Roark, Bringer and Moore, relating to public records.

HB 1403, introduced by Representatives Moore, Bruns, Wildberger, Purgason, Wilson (119), Goodman, Rupp, Kelly (144), Hobbs, Jackson, Wallace, Cunningham (86), Walsh, Schlottach,

Deeken, Portwood, Threlkeld, Cunningham (145), Wood, Nieves, Ruestman, Myers, Boykins, Walton, Crowell, Hunter, Corcoran, Walker, Henke, Kratky, Burnett, Darrough, Salva, Quinn, Bearden, Stevenson, Emery, Jolly, Bringer, Meiners, Liese, Vogt, Hoskins, Bland and Kelly (36), relating to special amusement buildings.

HB 1404, introduced by Representatives Bishop, Donnelly, Jolly, Yates, Byrd, Lipke, Stevenson, Witte, Young, Willoughby, Burnett, Johnson (90) and Carnahan, relating to guardian ad litem.

HB 1405, introduced by Representative Dougherty, relating to special license plates for Missouri DeMolay.

HB 1406, introduced by Representatives Holand and Davis (122), relating to the Missouri School Improvement Program.

HB 1407, introduced by Representatives Mayer and Villa, relating to adjudication of certain municipal code violations.

HB 1408, introduced by Representatives Mayer and Villa, relating to motor vehicle registration.

HB 1409, introduced by Representatives Richard, Dempsey, Wildberger, Black, Schlottach, Pearce, Stefanick, Reinhart and Ervin, relating to enterprise zones.

HB 1410, introduced by Representatives Hilgemann and Donnelly, relating to designation of next-of-kin for deceased persons.

HB 1411, introduced by Representatives Cunningham (86), Sander, Dusenberg, Bivins and Wilson (42), relating to gift certificates and promotional travel offers.

HB 1412, introduced by Representative Johnson (47), relating to verification of securities held by a conservator.

HB 1413, introduced by Representatives Ervin, Pearce, Richard, Dempsey, Wildberger, Black, Page, Reinhart, Munzlinger and Baker, relating to business use incentives.

HB 1414, introduced by Representative Shoemyer, relating to child custody and visitation.

HB 1415, introduced by Representative Shoemyer, relating to the genetically engineered plants and seeds.

HB 1416, introduced by Representatives Shoemyer and Whorton, relating to patent infringement on genetically engineered plants and seed.

HB 1417, introduced by Representatives Baker, Parker, Cooper (155), Hobbs, Graham, Myers, Shoemyer, Pratt, Jetton, Stevenson, Meiners, Yates, Sager and McKenna, relating to the governing boards of certain state higher education institutions.

HB 1418, introduced by Representatives Brown, Quinn, Wilson (119), Ervin, Dusenberg, Baker, Stefanick and Sutherland, relating to open house parties.

HB 1419, introduced by Representatives Harris (110), McKenna, Schoemehl, Pearce, Yaeger, Selby, Walker, Henke, Wildberger, Johnson (47) and Sager, relating to commercial motor vehicles.

HB 1420, introduced by Representative Cooper (120), relating to Missouri income tax returns.

HB 1421, introduced by Representatives Dempsey, Wildberger, Black, Schlottach, Richard, Pearce, Reinhart and Ervin, relating to job training for retained jobs.

HB 1422, introduced by Representatives Stefanick, Page, Swinger, Sanders Brooks and Schaaf, relating to dentists.

HB 1423, introduced by Representatives Stefanick, Boykins, Henke, Pratt, Holand, Page, Schaaf, Selby, Threlkeld, Morris, Bland and Carnahan, relating to vascular organ transplants.

HB 1424, introduced by Representatives Stefanick, Hanaway, Mayer, Richard, Wasson, Jetton, Behnen, Hobbs, Ruestman and Holand, relating to athlete agents.

HB 1425, introduced by Representative Black, relating to nursing.

HB 1426, introduced by Representatives Pearce, Dempsey, Dusenberg, Richard, Reinhart, Black and Munzlinger, relating to income tax exemptions for certain Missouri graduates.

SECOND READING OF HOUSE BILLS

HB 1369 through **HB 1397** were read the second time.

HOUSE RESOLUTION

HR 350, relating to “Wear Red for Women Day”, was taken up by Representative Crowell.

On motion of Representative Crowell, **HR 350** was adopted.

THIRD READING OF HOUSE BILLS

HCS HBs 950 & 948, relating to classification of counties, was taken up by Representative Mayer.

On motion of Representative Mayer, **HCS HBs 950 & 948** was read the third time and passed by the following vote:

AYES: 130

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 120	Cooper 155
Crowell	Cunningham 145	Cunningham 86	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	George	Goodman	Graham
Guest	Harris 110	Harris 23	Henke	Hilgemann
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yates	Zweifel	Madam Speaker

NOES: 010

Campbell	Corcoran	Donnelly	Fraser	Green
Hoskins	Hubbard	Lowe	Sager	Vogt

PRESENT: 003

Brooks	Johnson 61	Wilson 42
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ABSENT WITH LEAVE: 019

Avery	Barnitz	Crawford	Curls	El-Amin
Hampton	Haywood	Jones	Ransdall	Schneider
Selby	Shoemaker	Spreng	St. Onge	Swinger
Wildberger	Wilson 25	Yaeger	Young	

VACANCIES: 001

Representative Ruestman declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 004

Daus	Green	Salva	Whorton
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NOES: 127

Abel	Baker	Bean	Bearden	Behnen
Bishop	Bivins	Black	Bland	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Graham	Guest	Harris 110	Harris 23	Henke
Hilgemann	Hobbs	Hoskins	Hubbard	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schoemehl	Seigfreid
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Stefanick	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Willoughby
Wilson 130	Witte	Wood	Wright	Yates
Zweifel	Madam Speaker			

PRESENT: 002

Boykins Wilson 42

ABSENT WITH LEAVE: 029

Angst	Avery	Barnitz	Bough	Curls
El-Amin	Goodman	Hampton	Haywood	Holand
Hunter	Jones	Kelly 144	Morris	Ransdall
Schneider	Selby	Shoemaker	Spreng	St. Onge
Stevenson	Swinger	Wallace	Wasson	Wildberger
Wilson 119	Wilson 25	Yaeger	Young	

VACANCIES: 001

HCS HB 1182, relating to tax credits, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 1182** was read the third time and passed by the following vote:

AYES: 131

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Bringer	Brown	Bruns	Burnett
Byrd	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey

Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kuessner	Lager	Lawson
Lembke	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Seigfreid	Self	Shoemyer	Smith 118	Smith 14
Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wood	Wright	Yates	Zweifel
Madam Speaker				

NOES: 007

Bishop	Campbell	Green	Hoskins	LeVota
Page	Wilson 42			

PRESENT: 006

Brooks	Johnson 61	Kratky	Schoemehl	Skaggs
Witte				

ABSENT WITH LEAVE: 018

Avery	Barnitz	Curls	El-Amin	Hampton
Haywood	Jones	Ransdall	Schneider	Selby
Shoemaker	Spreng	St. Onge	Swinger	Wildberger
Wilson 25	Yaeger	Young		

VACANCIES: 001

Representative Ruestman declared the bill passed.

Speaker Hanaway assumed the Chair.

HCS HB 1177, relating to concentrated animal feeding operations, was taken up by Representative Guest.

On motion of Representative Guest, **HCS HB 1177** was read the third time and passed by the following vote:

AYES: 099

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Boykins	Bringer
Brown	Bruns	Byrd	Cooper 120	Cooper 155

Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Henke	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Kelly 144
Kelly 36	King	Kingery	Kuessner	Lager
Lawson	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Seigfreid	Self	Skaggs	Smith 118	Smith 14
Stefanick	Stevenson	Taylor	Threlkeld	Townley
Viebrock	Villa	Wallace	Walton	Ward
Wasson	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright	Yates	Madam Speaker	

NOES: 040

Bishop	Bland	Brooks	Burnett	Campbell
Carnahan	Corcoran	Darrough	Daus	Donnelly
Fraser	George	Graham	Green	Harris 110
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 90
Jolly	Kratky	LeVota	Liese	Lowe
McKenna	Meiners	Muckler	Page	Sager
Schoemehl	Shoemyer	Thompson	Vogt	Wagner
Walker	Walsh	Willoughby	Wilson 42	Zweifel

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 022

Abel	Avery	Barnitz	Curls	Dixon
El-Amin	Hampton	Harris 23	Haywood	Jones
Ransdall	Schneider	Selby	Shoemaker	Spreng
St. Onge	Sutherland	Swinger	Wildberger	Wilson 25
Yaeger	Young			

VACANCIES: 001

Speaker Hanaway declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 4** - Professional Registration and Licensing
- HCR 7** - Special Committee on Urban Issues
- HCR 12** - Tourism and Cultural Affairs
- HCR 14** - Corrections and State Institutions

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 49 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 781 - Workforce Development and Workplace Safety

HB 797 - Tax Policy

HB 805 - Tax Policy

HB 806 - Senior Security

HB 819 - Judiciary

HB 820 - Judiciary

HB 821 - Judiciary

HB 824 - Local Government

HB 825 - Education

HB 835 - Transportation and Motor Vehicles

HB 836 - Transportation and Motor Vehicles

HB 837 - Professional Registration and Licensing

HB 861 - Transportation and Motor Vehicles

HB 870 - Judiciary

HB 875 - Tax Policy

HB 879 - Tax Policy

HB 883 - Transportation and Motor Vehicles

HB 884 - Financial Services

HB 899 - Education

HB 901 - Tax Policy

HB 933 - Conservation and Natural Resources

HB 939 - Judiciary

HB 940 - Education

HB 941 - Education

HB 945 - Job Creation and Economic Development

HB 956 - Conservation and Natural Resources

HB 957 - Homeland Security and Veterans Affairs

HB 962 - Elections

HB 965 - Judiciary

HB 967 - Financial Services

HB 975 - Local Government

HB 977 - Transportation and Motor Vehicles

HB 985 - Professional Registration and Licensing

HB 986 - Judiciary

HB 988 - Elections

HB 1037 - Health Care Policy
HB 1043 - Professional Registration and Licensing
HB 1047 - Local Government
HB 1056 - Tourism and Cultural Affairs
HB 1069 - Retirement
HB 1117 - Job Creation and Economic Development
HB 1133 - Crime Prevention and Public Safety
HB 1137 - Education
HB 1144 - Professional Registration and Licensing
HB 1155 - Transportation and Motor Vehicles
HB 1156 - Communications, Energy and Technology
HB 1158 - Tax Policy
HB 1160 - Financial Services
HB 1171 - Communications, Energy and Technology
HB 1173 - Education
HB 1176 - Agriculture
HB 1180 - Local Government
HB 1181 - Job Creation and Economic Development
HB 1186 - Local Government
HB 1187 - Conservation and Natural Resources
HB 1193 - Special Committee on General Laws
HB 1194 - Tourism and Cultural Affairs
HB 1197 - Professional Registration and Licensing
HB 1199 - Local Government
HB 1206 - Local Government
HB 1214 - Professional Registration and Licensing
HB 1222 - Financial Services
HB 1224 - Professional Registration and Licensing
HB 1228 - Children and Families
HB 1230 - Senior Security
HB 1231 - Financial Services
HB 1232 - Financial Services
HB 1233 - Financial Services
HB 1235 - Tax Policy
HB 1236 - Financial Services
HB 1237 - Crime Prevention and Public Safety
HB 1239 - Job Creation and Economic Development
HB 1240 - Judiciary
HB 1241 - Communications, Energy and Technology
HB 1242 - Education
HB 1243 - Crime Prevention and Public Safety
HB 1245 - Crime Prevention and Public Safety
HB 1246 - Professional Registration and Licensing
HB 1247 - Communications, Energy and Technology
HB 1250 - Workforce Development and Workplace Safety

HB 1251 - Crime Prevention and Public Safety
HB 1252 - Tax Policy
HB 1253 - Financial Services
HB 1259 - Transportation and Motor Vehicles
HB 1260 - Local Government
HB 1262 - Workforce Development and Workplace Safety
HB 1263 - Children and Families
HB 1264 - Crime Prevention and Public Safety
HB 1266 - Retirement
HB 1267 - Tax Policy
HB 1270 - Corrections and State Institutions
HB 1271 - Corrections and State Institutions
HB 1272 - Job Creation and Economic Development
HB 1274 - Crime Prevention and Public Safety
HB 1275 - Local Government
HB 1281 - Transportation and Motor Vehicles
HB 1285 - Financial Services
HB 1286 - Small Business
HB 1287 - Crime Prevention and Public Safety
HB 1288 - Transportation and Motor Vehicles
HB 1289 - Local Government
HB 1296 - Professional Registration and Licensing
HB 1298 - Judiciary
HB 1300 - Tax Policy
HB 1301 - Crime Prevention and Public Safety
HB 1302 - Senior Security
HB 1303 - Communications, Energy and Technology
HB 1305 - Judiciary
HB 1308 - Tax Policy
HB 1309 - Tax Policy
HB 1310 - Communications, Energy and Technology
HB 1311 - Crime Prevention and Public Safety
HB 1312 - Judiciary
HB 1313 - Education
HB 1314 - Education
HB 1316 - Retirement
HB 1317 - Transportation and Motor Vehicles
HB 1318 - Health Care Policy
HB 1321 - Local Government
HB 1325 - Budget
HB 1327 - Transportation and Motor Vehicles
HB 1328 - Communications, Energy and Technology
HB 1332 - Education
HB 1333 - Education
HB 1336 - Judiciary

HB 1338 - Tourism and Cultural Affairs
HB 1343 - Tax Policy
HB 1344 - Crime Prevention and Public Safety
HB 1348 - Health Care Policy
HB 1349 - Children and Families
HB 1350 - Judiciary
HB 1360 - Education
HB 1363 - Special Committee on General Laws
HB 1367 - Senior Security
HB 1370 - Job Creation and Economic Development
HB 1385 - Crime Prevention and Public Safety
HB 1386 - Crime Prevention and Public Safety
HB 1387 - Crime Prevention and Public Safety
HB 1388 - Crime Prevention and Public Safety
HB 1389 - Crime Prevention and Public Safety
HB 1390 - Crime Prevention and Public Safety
HB 1391 - Crime Prevention and Public Safety
HB 1392 - Crime Prevention and Public Safety
HB 1393 - Crime Prevention and Public Safety
HB 1394 - Crime Prevention and Public Safety
HB 1397 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **HB 1040**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Small Business, Chairman St. Onge reporting:

Madam Speaker: Your Committee on Small Business, to which was referred **HB 978**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 777**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Madam Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1268** and **HB 1211**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 24**.

SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, faith-based and community organizations are currently providing quality social services and making a positive difference in the communities they serve; and

WHEREAS, faith-based and community organizations are serving their communities in areas such as the prevention and treatment of juvenile delinquency, child care services, support services for the elderly, the prevention of crime, the intervention in and prevention of domestic violence, and a number of other social service areas; and

WHEREAS, some of these faith-based and community organizations are currently receiving funds from federal government, or through a state, city, or local government that itself receives federal funds, to carry out their missions; and

WHEREAS, because of the quality services provided by these organizations, it is important for the state and local governments to utilize their services by working in partnership with faith-based and community organizations; and

WHEREAS, faith-based and community organizations that currently work in partnership with local governments or judicial circuits are doing so within the framework of the Constitutional church-state guidelines:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby express their gratitude to faith-based and community organizations working in their communities to improve the lives of the citizens of this state; and

BE IT FURTHER RESOLVED that we support the mission of faith-based and community organizations to provide social services to improve the lives of our citizens; and

BE IT FURTHER RESOLVED that we support and encourage the state and all local governments to work in partnership with faith-based and community organizations to provide quality social services that improve the lives of so many of our citizens in particular and better our society in general; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the presiding judge of each judicial circuit in this state, and to the director of each state department.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, February 9, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Russ Carnahan, District 59, hereby state and affirm that my vote as recorded on Pages 223 and 224 of the House Journal for Wednesday, February 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of February 2004.

/s/ Russ Carnahan
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearing to be held on: HB 1126

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 9, 2004, 2:00 p.m. Hearing Room 7.
Office of Administration.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 9, 2004, 2:00 p.m. Hearing Room 6.
Public testimony solely for the purpose of the possible closing of the Chillicothe prison.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 10, 2004, 8:00 a.m. Hearing Room 6.
Department of Public Safety and Corrections. Department presentations.
Review Governor's budget recommendations.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 6.
Department of Public Safety and Corrections. Department presentations.
Review Governor's budget recommendations.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 12, 2004, Hearing Room 6 upon morning adjournment.
Department of Public Safety and Corrections. Department presentations.
Review Governor's recommendations.

BUDGET

Tuesday, February 10, 2004, 8:00 a.m. Hearing Room 3.
Fiscal review HB 980.
Executive session will be held on: HB 1014

CHILDREN AND FAMILIES

Tuesday, February 10, 2004, 5:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 1120, HB 846, HB 915

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 1276, HB 1209, HJR 35, HB 862

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 10, 2004, 5:00 p.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 1215, HB 1168, HB 1059, HB 1103, HB 1075

ELECTIONS

Tuesday, February 10, 2004, 5:00 p.m. Hearing Room 7.
Possible executive session.
Public hearings to be held on: HB 1092, HB 900, HB 962

FINANCIAL SERVICES

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 6.
Possible executive session.
Public hearings to be held on: HB 1198, HB 990, HB 818, HB 1278

HEALTH CARE POLICY

Monday, February 9, 2004, Hearing Room 6 upon evening adjournment.
Executive session will be held on: HB 855

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Monday, February 9, 2004, 1:00 p.m. Hearing Room 5.
Challenge fiscal note HB 969.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Friday, February 13, 2004, 8:30 a.m. Senate Lounge.

JUDICIARY

Monday, February 9, 2004, Hearing Room 1 upon upon evening adjournment.
Executive session will be held on: HB 1304

LOCAL GOVERNMENT

Monday, February 9, 2004, Side Gallery House Chamber upon afternoon adjournment.
Executive session on previously heard bills.

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 4.
Possible executive session on HB 869.
Public hearings to be held on: HB 998, HB 1195

TAX POLICY

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 856, HB 823, HB 1212, HB 893

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 7.
Executive session to follow.
Public hearings to be held on: HB 912, HB 1149, HB 826, HB 1167, HB 1114,
HB 937, HB 1029, HB 1108, HB 1200

HOUSE CALENDAR

EIGHTEENTH DAY, MONDAY, FEBRUARY 9, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 21

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

- 1 HB 1002 through HB 1010
- 2 HB 1012

HOUSE BILLS FOR SECOND READING

HB 1398 through HB 1426

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041 - Cunningham (86)
- 4 HCS HB 1040 - Cunningham (86)
- 5 HCS HB 777 - Marsh (136)
- 6 HCS HB 1268 & 1211 - Smith (118)
- 7 HCS HB 978 - Baker (123)

HOUSE BILL FOR PERFECTION - CONSENT

(2/02/04)

HB 994 - Cunningham (145)

HOUSE BILL FOR THIRD READING

HCS HB 980, (Budget 2-04-04) - Myers (160)

HOUSE RESOLUTIONS

- 1 HR 4, (1-22-04, Page 124) - Lembke (85)
- 2 HR 196, (2-04-04, Page 227) - Morris (138)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

EIGHTEENTH DAY, Monday, February 9, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Gracious, Heavenly Father, Your Word declares, "People can get many good things by the words they say. The work of their hands also gives them many benefits." So may the words of our mouth and the meditation of our hearts be acceptable unto You this day. May the work of our hands reap great benefits for this state.

Teach us Your ways that we may live according to Your truth! Grant us pure motives, that we may honor You.

Teach us to number our days and recognize how few they are; help us to spend them, as we should.

May Your blessings be with us. Grant us success in all we do!

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dorothy Rose Caisley, Anne Shields, Caroline Doerhoff, Molly Grifford and Claire Bettale.

The Journal of the seventeenth day was approved as corrected by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King

Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Bland	Curls	Hubbard	Willoughby
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VACANCIES: 001

Representative Richard assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 439	-	Representative Kratky
House Resolution No. 440	-	Representative Kingery
House Resolution No. 441	-	Representative Ward
House Resolution No. 442	-	Representative Dempsey
House Resolution No. 443	-	Representative Mayer
House Resolution No. 444		
through		
House Resolution No. 446	-	Representative Kingery
House Resolution No. 447	-	Representative Townley
House Resolution No. 448	-	Representative Pearce
House Resolution No. 449	-	Representative Hanaway
House Resolution No. 450	-	Representative Black
House Resolution No. 451	-	Representative Graham
House Resolution No. 452	-	Representative Bruns
House Resolution No. 453	-	Representatives Wilson (130) and Ruestman
House Resolution No. 454	-	Representative Wilson (130)
House Resolution No. 455	-	Representative Schaaf
House Resolution No. 456	-	Representative Johnson (47)
House Resolution No. 457	-	Representative Young

House Resolution No. 458

through

House Resolution No. 461 - Representative Guest

House Resolution No. 462 - Representative Phillips

House Resolution No. 463 - Representative Lager

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 50, introduced by Representatives Hunter, Taylor, Roark, Deeken, Viebrock, Emery, Bean, Hobbs, Brown, Quinn, Lager, Rector, Wright, Crawford, Ruestman, Jackson, Townley, Self, Jetton, Cooper (120), Phillips, Kelly (144), Reinhart, Dixon, Bruns, Dempsey, Richard, Moore, Schlottach, Cunningham (145), Smith (14), Nieves, May, Guest, Marsh, Bearden, Davis (19), Wilson (130), Parker, Smith (118), Portwood, Lembke, Kingery, Myers, King, Wasson, Icet, Engler, Baker, Shoemaker, Sander, Munzlinger, Angst, Schneider, Pearce, Purgason, Wallace and Cooper (155), relating to election of judges.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1011, introduced by Representative Bearden, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1427, introduced by Representative Portwood, relating to forfeiture of controlled substances and drug paraphernalia.

HB 1428, introduced by Representatives Harris (23), Johnson (61), Ransdall, Johnson (90), Wildberger, Walsh, Daus, Ward, LeVota, Willoughby, Whorton, Jolly, Dougherty, Zweifel, Bishop, Yaeger, Burnett, Selby, Davis (122), Graham, Kuessner, George, Donnelly, Barnitz, Riback Wilson (25), Liese, Skaggs, Kratky, Harris (110), Campbell, Shoemyer, Walker, Jones, Witte, Darrough, Fraser, Carnahan, Bland, Hilgemann, Hoskins, Curls, Green, Henke, Lowe, Sager, Villa, Muckler, Young and Swinger, relating to medical malpractice liability insurance.

HB 1429, introduced by Representatives Johnson (61), Harris (23), Ransdall, Johnson (90), Ward, Selby, Davis (122), Wildberger, Burnett, Willoughby, Whorton, Jolly, Dougherty, Zweifel, Bishop, Seigfreid, Yaeger, LeVota, Walsh, Graham, Daus, Kuessner, George, Barnitz, Kratky, Riback Wilson (25), Liese, Skaggs, Harris (110), Campbell, Shoemyer, Walker, Jones, Darrough, Witte,

Fraser, Carnahan, Bland, Hilgemann, Vogt, Hoskins, Green, Henke, Lowe, Meiners, Sager, Villa, Walton, Muckler, Young and Swinger, relating to Medicaid reimbursement for health care providers.

HB 1430, introduced by Representatives Harris (23), Johnson (61), Johnson (90), Ransdall, Whorton, Jolly, Dougherty, Selby, Davis (122), Shoemyer, Daus, Ward, Willoughby, Zweifel, Bishop, Seigfreid, Yaeger, LeVota, Burnett, Wildberger, Walsh, Graham, Riback Wilson (25), Kuessner, George, Donnelly, Barnitz, Liese, Skaggs, Kratky, Harris (110), Campbell, Jones, Walker, Darrough, Witte, Fraser, Carnahan, Bland, Hilgemann, Vogt, Hoskins, Green, Henke, Lowe, Meiners, Sager, Villa, Walton, Muckler, Young and Swinger, relating to payment of health insurance benefits.

HB 1431, introduced by Representative Deeken, to amend the governor's authority to convey certain property in Cole County which is part of the correctional facility known as the Church Farm.

HB 1432, introduced by Representatives Whorton and Wildberger, relating to biodiesel fuel.

HB 1433, introduced by Representatives Wood, Kelly (36), Black, Dixon, Holand, Yaeger, Ruestman, Wasson, Kuessner, Quinn, Munzlinger, Liese, Selby and Ward, relating to sewer district creation in certain water pollution control basins.

HB 1434, introduced by Representatives Zweifel and Darrough, relating to senior citizens property tax relief.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 21 was read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1002 through **HB 1010** and **HB 1012** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1398 through **HB 1426** were read the second time.

HOUSE RESOLUTIONS

HR 4, relating to the Glory of Missouri Award, was taken up by Representative Lembke.

On motion of Representative Lembke, **HR 4** was adopted.

HR 196, relating to Missouri Campus Compact, was taken up by Representative Morris.

On motion of Representative Morris, **HR 196** was adopted.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1380 - Education

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 5**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 25**.

SENATE CONCURRENT RESOLUTION NO. 25

WHEREAS, the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) of the federal Social Security Act penalize people who have dedicated their lives to public service by taking away benefits they have earned; and

WHEREAS, nine out of ten public employees affected by the GPO lose their entire spousal benefit, even though their spouse paid Social Security taxes for many years; and

WHEREAS, the WEP causes hard-working people to lose up to sixty percent of the benefits they earned themselves; and

WHEREAS, many workers rely on misleading Social Security Administration statements that fail to take into account the GPO and WEP when projecting benefits; and

WHEREAS, the impact of the GPO and WEP is not just felt in those states in which public employees, including educators, are not covered by Social Security, because people move from state to state and affected individuals are everywhere; and

WHEREAS, the GPO and WEP apply to all vested members of the Public School Retirement System of Missouri; and

WHEREAS, the number of people affected across the country is growing every day as more and more people reach retirement age; and

WHEREAS, some 300,000 individuals lose an average of \$3,600 a year due to the GPO; and

WHEREAS, this amount can make the difference between self-sufficiency and poverty; and

WHEREAS, these people have less money to spend in their local economy and sometimes have to turn to expensive government programs like food stamps to make ends meet; and

WHEREAS, during a national teacher shortage, the GPO and WEP discourage people from entering and staying in the teaching profession, since doing so will mean a loss of earned Social Security benefits; and

WHEREAS, the GPO and WEP are also causing current educators to leave the profession and students to choose courses of study other than education; and

WHEREAS, non-Social Security states are finding it increasingly difficult to attract quality educators as more people learn about the GPO and WEP; and

WHEREAS, the nation should respect, not penalize, public service; and

WHEREAS, the GPO and WEP are established in federal law and repeal of the GPO and WEP can only be enacted by the United States Congress:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Congress of the United States to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCR 26**, entitled:

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 26

Relating to the Forestry Utilization Committee.

WHEREAS, the forestry industry is a vital industry to Missouri, representing over fourteen million acres of Missouri timberland, which ranks our state seventh out of the twenty northeastern timber states, supports the bulk of Missouri recreation and tourism, directly provides thousands of jobs and supports tens of thousands of jobs where forest land and products are a vital component, directly generates three billion dollars of revenue, and indirectly supports the generation of many more billions of dollars in revenue; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic contribution of this industry while making every attempt to minimize environmental harm and other negative aspects of the industry; and

WHEREAS, the industries' current practice of harvesting sixty percent of the tree, and its predominant production of low value-added products, limits the potential economic contribution to industry participants and to the state; and

WHEREAS, there exists a need for a study of the potential for increased industrial strength and rural economic gains to be realized by forestry adopting modern industrial business models and value-added techniques:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby authorize the creation of a "Forestry Utilization Committee", which shall review and evaluate both the industrial and economic impact of forestry utilization and make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such committee shall be composed of twenty-three members, one member to be a member of the Missouri Senate to be appointed by the President Pro Tem of the Senate, one member to be a member of the Missouri House of Representatives to be appointed by the Speaker of the House, two county commissioners appointed by the Missouri Association of Counties, two forest landowners representing small forestry holdings with owners of less than two hundred acres of timber and two representatives of large forestry holdings with greater than two hundred acres of timber, both to be appointed by the Missouri Farm Bureau, a representative from the

Resource Conservation and Development Councils, a representative from the Missouri Department of Natural Resources' Energy Center, a representative from the Missouri Enterprise Business Assistance Center, a representative of the United States Department of Agriculture Forest Service's North Central Forest Experimental Station, a representative of the University of Missouri's School of Natural Resources, a representative of the Society of American Foresters, a representative from the Missouri Department of Conservation's Division of Forestry, a representative of the Missouri Forest Products Association, a representative of the Missouri Department of Agriculture's Business Development Division, two representatives of a large-volume active sawmill and two representatives of a small-volume active sawmill appointed by the Missouri Forest Products Association, a representative of the School of Agricultural Sciences at Southwest Missouri State University and a representative of the Department of Agriculture, School of Polytechnic Studies at Southeast Missouri State University. Each member of the committee shall serve until December 31, 2005. A chairman, vice-chairman, and secretary shall be elected by the membership of the committee to conduct the business of the committee; and

BE IT FURTHER RESOLVED that the committee may conduct its business by various means but shall meet no less than twice each year as a full committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the committee in carrying out its duties, including allowing access to closed records, provided that the committee shall not disclose any identifying information contained in such records closed pursuant to statute or general order, and any such information in the custody of the committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide minimal funding, administrative support, and staff for the effective operation of the committee; and

BE IT FURTHER RESOLVED that the committee shall study problems and solutions, collect information, and provide recommendations in a report to the General Assembly before July 30, 2005; and

BE IT FURTHER RESOLVED that the committee shall submit its final report to the General Assembly no later than December 31, 2005; and

BE IT FURTHER RESOLVED that the Forestry Utilization Committee shall terminate December 31, 2005; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 33**.

SENATE CONCURRENT RESOLUTION NO. 33

WHEREAS, for many years, residents in the greater St. Louis area enjoyed regular airline service by TWA to and from Ronald Reagan Washington National Airport (DCA); and

WHEREAS, St. Louis is a large market, with over 2.6 million people in the St. Louis Metropolitan Statistical Area, and for the year 2003, the St. Louis-Washington market (not including BWI) ranked 13th among Washington destinations inside the 1,250-mile perimeter with 243,302 passengers; and

WHEREAS, because TWA was the dominant airline in St. Louis, fares were relatively high, especially for business travelers who often traveled on a few days' notice. When American Airlines acquired TWA several years ago, they significantly reduced their presence in St. Louis and service to Washington, D.C. has suffered as a result; and

WHEREAS, American Airlines now operates its DCA to STL services using regional jets with a seating capacity of 50 or less seats, United Airlines operates three daily roundtrips using regional jets between St. Louis and Dulles, and Southwest Airlines only flies to BWI, not to DCA or Dulles; and

WHEREAS, with such a lack of competition for flights to Washington, D.C., Primaris, a new entrant airline, would introduce competition in the market served currently only by American Airlines; and

WHEREAS, Primaris proposes to operate a twice-daily premium service between STL and DCA using Boeing 757 aircraft with 126-seat capacity in a two-by-two configuration for passenger comfort; and

WHEREAS, Primaris will provide this premium service which is equal to or better than the current business class service and will offer fares significantly lower than most coach class fares of American Airlines' commuter affiliates that now conduct DCA-STL operations; and

WHEREAS, while recognizing that the United States Congress has given the federal Department of Transportation authority to grant only a few slot exemptions, given the size of the St. Louis market and the current lack of competition on the DCA-STL route, approval of Primaris Airlines' application is strongly recommended to serve the St. Louis-Washington, D.C. market:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Department of Transportation to grant approval to Primaris Airlines' application in Docket OST 2000-7182 for the operation of twice-daily service between Ronald Reagan Washington National Airport (DCA) and Lambert-St. Louis International Airport (STL); and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copies of this resolution for the Honorable Norman Y. Mineta, Secretary of Transportation, and each member of the Missouri Congressional Delegation.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 739**, entitled:

An act to amend chapter 640, RSMo, by adding thereto four new sections relating to environmental regulation.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Wright, the House adjourned until 10:00 a.m., Tuesday, February 10, 2004.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Seventeenth Day, Thursday, February 5, 2004, Pages 220 and 221, roll call, by showing Representative Shoemaker "absent with leave" rather than voting "aye".

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1126

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 10, 2004, 8:30 a.m. Hearing Room 7.

Secretary of State, Office of Administration, and Judiciary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 10, 2004, 2:45 p.m. Hearing Room 7.

Office of Administration and Judiciary.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 7.

Office of Administration, Judiciary, and Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 2004, 2:45 p.m. Hearing Room 7.

Office of Administration, Judiciary, and Public Defender.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 16, 2004, 1:00 p.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.

Public testimony. Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 10, 2004, 8:00 a.m. Hearing Room 6.

Department of Public Safety and Corrections. Department presentations.

Review Governor's budget recommendations.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 6.

Department of Public Safety and Corrections. Department presentations.

Review Governor's budget recommendations.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 12, 2004, Hearing Room 6 upon morning adjournment.

Department of Public Safety and Corrections. Department presentations.

Review Governor's recommendations.

BUDGET

Tuesday, February 10, 2004, 8:00 a.m. Hearing Room 3. AMENDED

Executive session will be held on: HB 1014

BUDGET

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 3.

Executive session will be held on: HB 1014

CHILDREN AND FAMILIES

Tuesday, February 10, 2004, 5:00 p.m. Hearing Room 1.

Executive session may follow. CANCELLED

Public hearings to be held on: HB 1120, HB 846, HB 915

CHILDREN AND FAMILIES

Wednesday, February 11, 2004, Hearing Room 1 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1120, HB 846, HB 915

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, February 10, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1241, HB 1156, HB 1303

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1276, HB 1209, HJR 35, HB 862

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 10, 2004, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1215, HB 1168, HB 1059, HB 1103, HB 1075

CANCELLED

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 11, 2004, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1215, HB 1168, HB 1059, HB 1103, HB 1075

EDUCATION

Wednesday, February 11, 2004, 5:00 p.m. Hearing Room 3.

Possible Executive session on previously heard bills.

Public hearings to be held on: HB 1048, HB 1380, HB 1333, HB 1360

ELECTIONS

Tuesday, February 10, 2004, 12:00 p.m. Senate Committee Room 1.

Possible Executive session. AMENDED

Public hearings to be held on: HB 1092, HB 900, HB 962

FINANCIAL SERVICES

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 6.

Possible Executive session.

Public hearings to be held on: HB 1198, HB 990, HB 818, HB 1278

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Friday, February 13, 2004, 8:30 a.m. Senate Lounge.

JOINT INTERIM COMMITTEE ON EDUCATION

Wednesday, February 11, 2004, 7:30 p.m. Senate Committee Room 2.

Discussion on draft report of committee.

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, February 12, 2004, 12:00 p.m. Senate Committee Room 2.

Final report of committee.

LOCAL GOVERNMENT

Thursday, February 12, 2004, 8:30 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 1128, HB 1162, HB 1166, HB 975

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 4.

Possible Executive session on HB 869.

Public hearings to be held on: HB 998, HB 1195

SMALL BUSINESS

Wednesday, February 11, 2004, Hearing Room 4 upon noon adjournment.

Public hearing to be held on: HB 1058

TAX POLICY

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 856, HB 823, HB 1212, HB 893

TOURISM AND CULTURAL AFFAIRS

Tuesday, February 10, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 833, HB 1056, HB 1132, HB 1194, HB 1338, HCR 12

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 7.

Executive session to follow.

Public hearings to be held on: HB 912, HB 1149, HB 826, HB 1167, HB 1114, HB 937, HB 1029, HB 1108, HB 1200

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1397

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 10, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 50

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1011

HOUSE BILLS FOR SECOND READING

HB 1427 through HB 1434

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

1 HCS HB 946, 1106 & 952 - Crawford (117)

2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)

- 3 HCS HB 1041 - Cunningham (86)
- 4 HCS HB 1040 - Cunningham (86)
- 5 HCS HB 777 - Marsh (136)
- 6 HCS HB 1268 & 1211 - Smith (118)
- 7 HCS HB 978 - Baker (123)

HOUSE BILL FOR THIRD READING

HCS HB 980, (Budget 2-04-04) - Myers (160)

HOUSE BILL FOR THIRD READING - CONSENT

HB 994 - Cunningham (145)

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SS SCR 26

SENATE BILL FOR SECOND READING

SB 739

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 10, 2004

The House met pursuant to adjournment.

Representative Deeken in the Chair.

Prayer by Representative Brian Nieves.

Dear Lord,

We ask that You watch over each and everyone of us on both sides of the aisle. We ask that You guide us in our decisions and in our discussion as we work together. Remind us Lord that we are a team. We are here to do the work of the people, and we need to work together as a team. Bless us and our families today, and all week Lord, and then help us to return safely to our homes.

In Your name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mattie Dueker, Emily Moll, Gussie Orbin, Jessica Chisholm, Molly Tedrow, Meghan Riley and Emily Frenz.

The Journal of the eighteenth day was approved as corrected.

HOUSE RESOLUTION

Representative Portwood offered House Resolution No. 464.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 465 - Representative Pratt
House Resolution No. 466 - Representative Kuessner, et al
House Resolution No. 467
and
House Resolution No. 468 - Representative Dixon
House Resolution No. 469
and
House Resolution No. 470 - Representative Cooper (155)
House Resolution No. 471 - Representative Townley

HOUSE CONCURRENT RESOLUTION

Representative Jackson offered House Concurrent Resolution No. 22.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 51, introduced by Representatives Morris, Schlottach, Roark, Nieves, Pratt, Goodman, Deeken, Threlkeld, Icet, Taylor, Jetton, Lembke, Yates, Wood, Dempsey, Baker, Self, Wright, Quinn, Schneider, Bearden, Rector, Bivins, Stevenson, Schaaf and St. Onge, relating to state court jurisdiction.

HJR 52, introduced by Representatives Morris, Schlottach, Roark, Nieves, Jetton, Lembke, Yates, Pratt, Goodman, Deeken, Threlkeld, Icet, Quinn, Wood, Dempsey, Baker, Self, Taylor, Engler, Bearden, Rector, Bivins, Stevenson and Schaaf, relating to limitations of the power of the general assembly.

HJR 53, introduced by Representatives Ward, Liese, Graham, Harris (23), Kratky, McKenna and Shoemyer, relating to gaming.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1435, introduced by Representatives Jetton, Lager, Dixon, Hanaway, Hunter, Davis (19), Stefanick, Dusenberg, Reinhart, Icet, Lipke, Phillips, Goodman, Moore, Nieves, Cunningham (145), Myers, Bean, Rector, Cunningham (86), Dixon, Wilson (119), Wood, Hobbs, Munzlinger, Sander and May, relating to designations of state tax refunds.

HB 1436, introduced by Representatives Byrd, Fraser, Yates, Stevenson, Goodman, Willoughby and Bishop, relating to statute of limitations for childhood sexual abuse cases.

HB 1437, introduced by Representative Sutherland, relating to motor carrier safety.

HB 1438, introduced by Representatives Ward, Kratky, McKenna, Selby, Kuessner, Shoemyer, Engler and Harris (110), relating to the Deputy Steven Ziegler Memorial Highway.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 50 was read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1011 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1427 through **HB 1434** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SS SCR 26 was read the second time.

SECOND READING OF SENATE BILL

SB 739 was read the second time.

Speaker Hanaway assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 777, relating to state institutions of higher education, was taken up by Representative Marsh.

Representative Yates offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 777, Page 1, Section 174.020, Line 1, by striking “[Central Missouri State] University of Central Missouri” and inserting in lieu thereof the following: “**Missouri State University at Central Missouri**”; and

Further amend Line 6 of said page, by inserting the words “**at Southwest Missouri**” immediately after the word “**University**”; and

Further amend said bill, Page 2, Section 174.450, Line 2 of said page, by striking “[Central Missouri State] University of Central Missouri” and inserting in lieu thereof the following: “**Missouri State University at Central Missouri**”; and

Further amend Line 3 of said page, by inserting the words “**at Southwest Missouri**” immediately after the word “**University**”; and

Further amend such bill and section, Page 2, by striking Lines 17 through 25 and inserting in lieu thereof the following:

“2. The governing boards of Missouri State University at Southwest Missouri and Missouri State University at Central Missouri, shall each be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. No more than one voting member shall be appointed to either board from the same Congressional district, and every member of each board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party.”; and

Further amend such bill and section, Section 1, Line 1 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”; and

Further amend such bill and section, Page 3, Line 6 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”; and

Further amend Line 9 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”; and

Further amend Line 11 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”.

Speaker Pro Tem Jetton assumed the Chair.

Speaker Hanaway resumed the Chair.

HCS HB 777, with House Amendment No. 1, pending, was laid over.

On motion of Representative Wright, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Zachery Voss, Nathan Voss, Justin Voss, Alexis Poole, Nichol Davis and Ian Mackey.

HOUSE RESOLUTION

Representatives Moore and Walker, et al, offered House Resolution No. 485.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 472 - Representative Crawford

House Resolution No. 473

through

House Resolution No. 476 - Representative Brown

House Resolution No. 477

and

House Resolution No. 478 - Representative Lipke

House Resolution No. 479 - Representative Fraser

House Resolution No. 480 - Representative Townley

House Resolution No. 481

and

House Resolution No. 482 - Representative Ward

House Resolution No. 483 - Representative Crawford
House Resolution No. 484 - Representative Henke

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1439, introduced by Representative Crawford, relating to transportation.

HB 1440, introduced by Representative Deeken, relating to regional planning commissions.

HB 1441, introduced by Representatives Graham, Sager, Sanders Brooks, Burnett, Yaeger, Shoemaker and Whorton, relating to the long-term care ombudsman program.

HB 1442, introduced by Representatives Lipke, Crowell, Mayer, Myers, Kuessner, Wagner, Jetton, Black, Engler and Ward, relating to the designation of a memorial highway.

HB 1443, introduced by Representatives Wildberger, Darrough, Walsh, Selby, Dougherty, Green, Kratky, Sager, Harris (110), Zweifel, Bishop, Wagner, Meiners, Burnett, Schoemehl, Corcoran, George, Spreng, Wilson (42), Liese, Vogt, Shoemyer and Salva, relating to collective bargaining rights for emergency response personnel.

HB 1444, introduced by Representatives Moore, Goodman, Jetton, Yates, Smith (14), Lembke, Munzlinger, Morris, Bruns, Rupp, Wilson (130), Hobbs, Sander, Behnen, Kingery, Brown, Stevenson, Schaaf, Davis (19), Stefanick, Ruestman, Reinhart, Phillips, Cooper (120), Nieves, Bivins, Engler, Hunter, Schneider, Dethrow, Kratky, King, Dusenberg, Cunningham (145), Walsh, Corcoran, Fares, Hilgemann, Abel, Lowe, Meiners and Dixon, relating to legislative committees.

HB 1445, introduced by Representative Mayer, to authorize the conveyance of property owned by the state in the county of Stoddard to the city of Dexter.

HB 1446, introduced by Representative Johnson (47), relating to project plans and specifications of state facilities.

HB 1447, introduced by Representative Lembke, relating to maximum amounts of compensation for police officers.

HB 1448, introduced by Representatives Bruns, Moore, Munzlinger and Deeken, relating to the family development account program.

HB 1449, introduced by Representatives Bruns and Bivins, relating to special license plates.

HB 1450, introduced by Representatives Shoemaker, Bishop, Wildberger, Sander, Taylor, Hunter, Dempsey, Ruestman, Viebrock, Angst, Jolly, Willoughby, Skaggs, Stevenson, Wright and LeVota, relating to tampering with cable television distribution capabilities.

HB 1451, introduced by Representatives Fraser, Walker and Moore, relating to foreign language instruction in elementary schools.

HB 1452, introduced by Representatives Fraser, Donnelly, Walker, Riback Wilson (25) and Jolly, relating to corporal punishment.

HB 1453, introduced by Representatives Hanaway, Icet, Myers, Smith (14), Pearce, Wasson, Wilson (119), Nieves, Rupp, Dixon, Young, Moore, Baker, Bough, Sander, Jackson, Schaaf, Munzlinger, Quinn, Bivins, Ervin, Dusenberg, Phillips, Schneider, Crowell, Wood, Wright, Bruns, Pratt, Reinhart, Morris, Jetton, Deeken, Sutherland, Richard, Self, Kelly (144), Stevenson, Angst, Stefanick, Portwood, Mayer, Cooper (120), Dougherty, Ruestman, Threlkeld, Dempsey, Behnen, Cunningham (145), Smith (118), Byrd, Bean, King, Engler, Schlottach, Guest and Hobbs, relating to the state foster care and protective services for children.

HB 1454, introduced by Representatives Swinger, Mayer, Kuessner, Bishop, Davis (122), Hampton, Skaggs, Kratky, Bean, Myers, Black and Wildberger, to authorize the conveyance of property owned by the state in the county of Pemiscot to the city of Caruthersville.

HB 1455, introduced by Representatives Black, Icet, Wallace, Bivins, Hobbs, Smith (14), Emery, Phillips, Jackson, Wilson (130), Kelly (144), Cooper (120), Rupp, Holand, Jetton, Shoemyer and Hampton, relating to air conservation.

HB 1456, introduced by Representatives Black, Icet, Wallace, Bivins, Hobbs, Jackson, Wilson (130), Kelly (144), Cooper (120), Holand, Jetton, Shoemyer and Hampton, relating to transient guest taxes.

HB 1457, introduced by Representatives Black, Myers, Icet, Bivins, Schaaf, Hobbs, Smith (14), Rector, Emery, Phillips, Jackson, Wilson (130), Kelly (144), Cooper (120), Rupp, Holand, Jetton, Shoemyer, Skaggs and Hampton, relating to permits issued by the department of natural resources.

HB 1458, introduced by Representatives Moore, Kratky, Shoemaker, Kelly (36), Thompson, Kelly (144), Daus, Johnson (61), Carnahan, Hubbard, Myers, Morris, Liese, Wildberger, Swinger and Hilgemann, relating to the creation of the gang resistance education and training program fund.

HB 1459, introduced by Representatives Moore, Walker, Kratky, Walsh, Donnelly, Sager, Selby, Skaggs, Kuessner, Henke, Corcoran, Jolly, Spreng, Carnahan, Wilson (42), Thompson, Hubbard, Bishop, Hilgemann and Schneider, relating to closed captioning of local television news programming.

PERFECTION OF HOUSE BILL

HCS HB 777, with House Amendment No. 1, pending, relating to state institutions of higher education, was again taken up by Representative Marsh.

Representative Riback Wilson (25) offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 777, Page 1, Section 174.020, Line 3, by striking “[Central Missouri State] University of Central Missouri” and inserting in lieu thereof the following: “**Missouri State University at Central Missouri**”; and

Further amend Line 6 of said page, by inserting the words “**at Southwest Missouri**” immediately after the word “**University**”; and

Further amend said bill, Page 2, Section 174.450, Line 2 of said page, by striking “[Central Missouri State] University of Central Missouri” and inserting in lieu thereof the following: “**Missouri State University at Central Missouri**”; and

Further amend Line 3 of said page, by inserting the words “**at Southwest Missouri**” immediately after the word “**University**”; and

Further amend such bill and section, Page 2, by striking Lines 17 through 25 and inserting in lieu thereof the following:

“2. The governing boards of Missouri State University at Southwest Missouri and Missouri State University at Central Missouri shall be one and the same as the Board of Curators of the University of Missouri.”; and

Further amend such bill and section, Section 1, Line 1 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”; and

Further amend such bill and section, Page 3, Line 6 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”; and

Further amend Line 9 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”; and

Further amend Line 11 of said page, by inserting the words “**at Southwest Missouri and at Central Missouri**” immediately after the word “**University**”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Riback Wilson (25) moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Bringer	Brooks	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Dougherty
El-Amin	Fraser	George	Graham	Green
Harris 110	Harris 23	Henke	Hilgemann	Johnson 90
Jolly	Kelly 36	Kratky	Lawson	Liese
Lowe	Meiners	Muckler	Ransdall	Sager
Schoemehl	Seigfreid	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Vogt	Walker	Walsh

Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Zweifel		
NOES: 106				
Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Brown	Bruns	Byrd	Cooper 120
Crawford	Crowell	Cunningham 145	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hampton	Haywood	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Jones	Kelly 144	King
Kingery	Kuessner	Lager	Lembke	LeVota
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Selby	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Viebrock	Villa	Wagner
Wallace	Walton	Ward	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Young
Madam Speaker				

PRESENT: 003

Cooper 155	Cunningham 86	Johnson 61
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ABSENT WITH LEAVE: 005

Abel	Avery	Boykins	Burnett	Townley
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VACANCIES: 001

Representative Wildberger offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 777, Page 1, Section 174.020, Line 7, by placing brackets around the word “college” on said lines; and

Further amend said bill, Page 1, Section 174.020, Line 7, by inserting the word “**institution**” before the word “at” on said line; and

Further amend said bill, Page 1, Section 174.020, Line 8, by placing brackets around the word “college” on said line; and

Further amend said bill, Page 1, Section 174.020, Line 9, by inserting before all of said line the following: “**University**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

Speaker Hanaway resumed the Chair.

Representative Wildberger moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Abel	Barnitz	Bringer	Brooks	Campbell
Carnahan	Corcoran	Curls	Darrough	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Harris 110	Harris 23	Henke	Hilgemann
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Lawson	Liese	Lowe	Meiners
Muckler	Ransdall	Sager	Salva	Schaaf
Schoemehl	Seigfreid	Selby	Shoemyer	Smith 118
Smith 14	Spreng	Swinger	Thompson	Vogt
Walker	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Zweifel				

NOES: 101

Angst	Baker	Bean	Bearden	Behnen
Bishop	Bivins	Black	Bland	Bough
Brown	Bruns	Byrd	Cooper 120	Crawford
Crowell	Cunningham 145	Cunningham 86	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Hampton	Haywood	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Kuessner	Lager	Lembke	LeVota
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schlottach	Schneider	Self	Shoemaker
Skaggs	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Villa
Wagner	Wallace	Walton	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Young
Madam Speaker				

PRESENT: 002

Boykins Cooper 155

ABSENT WITH LEAVE: 003

Avery Burnett Purgason

VACANCIES: 001

Representative Portwood offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2 to House Amendment No. 1 was withdrawn.

Representative Walker offered **House Amendment No. 3 to House Amendment No. 1.**

Representative Goodman raised a point of order that **House Amendment No. 3 to House Amendment No. 1** is not germane to the amendment and the underlying bill.

The Chair ruled the point of order well taken.

Representative Seigfreid offered **House Amendment No. 4 to House Amendment No. 1.**

*House Amendment No. 4
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 777, Page 2, Section 1, Line 5 of said page, by inserting after said line the following:

“Further amend said bill and section, Section 1, Line 5 of said page, by inserting after the word “**institution**” the following: “**involved in such cooperative program**”.

Representative Seigfreid moved that **House Amendment No. 4 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Icet offered **House Amendment No. 5 to House Amendment No. 1.**

Representative Goodman raised a point of order that **House Amendment No. 5 to House Amendment No. 1** is not germane and goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Behnen assumed the Chair.

Speaker Hanaway resumed the Chair.

Representative Yates moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 053

Baker	Barnitz	Bringer	Brooks	Brown
Campbell	Carnahan	Davis 122	Dougherty	Dusenberg
El-Amin	Fraser	Graham	Guest	Harris 110

Harris 23	Henke	Hilgemann	Hobbs	Ice
Johnson 47	Johnson 90	Jolly	Kelly 36	Kratky
LeVota	Liese	Lowe	Meiners	Muckler
Page	Pearce	Pratt	Ransdall	Sager
Seigfreid	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Swinger	Thompson	Vogt	Walker
Ward	Wildberger	Willoughby	Wilson 25	Witte
Yaeger	Yates	Zweifel		

NOES: 060

Angst	Bearden	Behnen	Black	Bough
Bruns	Cooper 120	Crawford	Cunningham 145	Daus
Dempsey	Dethrow	Dixon	Donnelly	Emery
Engler	Ervin	Goodman	Hampton	Holand
Hunter	Jackson	Jetton	Johnson 61	Jones
Kelly 144	Lager	Lipke	Marsh	May
Mayer	Miller	Moore	Morris	Nieves
Phillips	Portwood	Quinn	Rector	Reinhart
Roark	Ruestman	Rupp	Schaaf	Schlottach
Schneider	Self	Shoemaker	St. Onge	Stefanick
Stevenson	Viebrock	Villa	Whorton	Wilson 119
Wilson 130	Wood	Wright	Young	Madam Speaker

PRESENT: 001

Cooper 155

ABSENT WITH LEAVE: 048

Abel	Avery	Bean	Bishop	Bivins
Bland	Boykins	Burnett	Byrd	Corcoran
Crowell	Cunningham 86	Curls	Darrough	Davis 19
Deeken	Fares	George	Green	Haywood
Hoskins	Hubbard	King	Kingery	Kuessner
Lawson	Lembke	Luetkemeyer	McKenna	Munzlinger
Myers	Parker	Purgason	Richard	Salva
Sander	Schoemehl	Selby	Sutherland	Taylor
Threlkeld	Townley	Wagner	Wallace	Walsh
Walton	Wasson	Wilson 42		

VACANCIES: 001

Representative Harris (23) requested a verification of the roll call on the motion to adopt **House Amendment No. 1.**

Representative Behnen resumed the Chair.

Representative Sager offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 777, Page 1, Section 174.020, Line 1, by inserting before all of said line the following:

"172.030. The board of curators of the University of the state of Missouri shall hereafter consist of nine members, **one of which shall be a student curator**, who shall be appointed by the governor, by and with the advice and consent of the senate; provided, that not more than one [person] **of the eight nonstudent curators** shall be appointed upon said board from the same congressional district, and no person shall be appointed a curator who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to his **or her** appointment. **Beginning with the next appointment to the board of curators by the governor after August 28, 2003, one of the nine members of the board shall be a current full-time student of the University of Missouri, whose title shall be student curator, and notwithstanding the provisions of sections 172.040 and 172.060, whose term of service shall be two years or as long as the person maintains the status of a full-time student. The student curator shall have the right to vote on any matter before the board; except that, the student curator shall not vote on personnel matters or vote to break the vote of the board. At the end of the student curator's term of service, the governor shall appoint a current full-time student from the University of Missouri to serve as student curator.** Not more than five curators shall belong to any one political party.

172.040. **Except as provided in section 172.030 for student curators with voting powers**, the term of service of the curators shall be six years, the terms of three expiring every two years; the first expiration occurring on the first day of January, 1911, and succeeding expirations of three members every two years thereafter. Said curators, while attending the meetings of the board, shall receive their actual expenses, which shall be paid out of the ordinary revenues of the university.

172.060. **Except as provided in section 172.030 for student curators with voting powers**, all appointments to fill vacancies, except such as may be made to fill out unexpired terms, shall be for the term of six years, and until the successors of such appointees shall be appointed and qualified."; and

Further amend said bill, Page 2, Section 174.450, Lines 1-25, by deleting all of said section and inserting the following:

"174.450. **1. Except as provided in subsection 2 of this section**, the governing board of Central Missouri State University, Southwest Missouri State University, Missouri Southern State University-Joplin, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, RSMo, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030, RSMo.

2. Beginning with the next appointment to the governing board by the governor of Missouri after August 28, 2004, one of the seven voting members of the board of governors of Southwest Missouri State University shall be a current full-time student of Southwest Missouri State University, whose title shall be student governor, and, notwithstanding the provisions of subsection 2 of section 174.453, whose term of service shall be two years or as long as the person maintains the status of a full-time student. The student governor shall have the right to vote on any matter before the board. At the end of the student governor's term of service, the governor of Missouri shall appoint a current full-time student from Southwest Missouri State University to serve as student governor."; and

Further amend said bill, Page 2, Section 174.450, Line 25, by inserting after all of said line the following:

"174.610. **1.** The governing board of the Truman State University shall be a board of governors consisting of ten members, composed of seven voting members, **one of whom shall be a student governor**, and three nonvoting members as provided in section 174.620, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting governor who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such person's appointment. Not more than four voting governors shall belong to any one political party. [The appointed members of the board of

regents serving on January 1, 1986, shall become members of the board of governors on January 1, 1986, and serve until the expiration of the terms for which they were appointed.]

2. Beginning with the next appointment to the governing board by the governor of Missouri after August 28, 2003, one of the seven voting members of the board shall be a current full-time student of Truman State University, whose title shall be student governor, and, notwithstanding the provisions of subdivision (1) of subsection 2 of section 174.620, whose term of service shall be two years, provided the person maintains the status of a full-time student. The student governor shall have the right to vote on any matter before the board. At the end of the student governor's term of service, the governor of Missouri shall appoint a current full-time student from Truman State University to serve as student governor.

174.620. 1. The board of governors shall be appointed as follows:

(1) Four voting members from the counties of Adair, Audrain, Boone, Callaway, Chariton, Clark, Howard, Knox, Lewis, Lincoln, Linn, Marion, Macon, Monroe, Montgomery, Pike, Putnam, Ralls, Randolph, St. Charles, Schuyler, Scotland, Shelby, Sullivan, and Warren, provided that not more than one member shall be appointed from the same county;

(2) Three voting members from any of the seven college districts as contained in section 174.010, provided that no more than one **non-student** member shall be appointed from the same congressional district;

(3) Two nonvoting members whose residence is other than the state of Missouri and who are knowledgeable of the educational mission of liberal arts institutions; and

(4) One nonvoting member who is a student. Such student representative shall attend all meetings and participate in all deliberations of the board. Such student representative shall not have the right to vote on any matter before the board, but shall have all other powers and duties of section 174.055, and shall also meet the qualifications of section 174.055.

2. Except as provided in subsection 2 of section 174.610, the term of service of the governors shall be as follows:

(1) The voting members shall be appointed for terms of six years; except, that of the voting members first appointed, two shall serve for terms of two years, two for terms of four years, and three for terms of six years;

(2) The nonvoting members who are not students shall be appointed for terms of six years; except, that of the nonvoting members first appointed, one shall serve for a term of three years, and one shall serve a term of six years; and

(3) The nonvoting student member shall serve a two-year term as provided in section 174.055.

3. The governors, both voting and nonvoting, while attending the meetings of the board shall receive their actual and necessary expenses, which shall be paid out of the ordinary revenues of the university. Vacancies in terms of office caused by death, resignation or removal shall be filled in the manner provided by law for such vacancies on the board of curators of the University of Missouri.

174.621. 1. For the purposes of this chapter, confidentiality, as determined by the board and as provided by law, shall apply to all members and representatives on the board.

2. Any member or representative on the board may recuse himself or herself from any deliberation or proceeding of the board.

3. Upon a unanimous affirmative vote of the members of the board who are present and who are not student representatives, a given meeting closed pursuant to sections 610.021 and 610.022, RSMo, shall be closed to the **nonvoting** student representative."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Hanaway resumed the Chair.

Representative Goodman raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the underlying bill.

The Chair ruled the point of order not well taken.

Representative Behnen resumed the Chair.

Representative Seigfreid offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 777, Page 4, Section 174.450, Line 6, by deleting the word "**seven**" and inserting in lieu thereof the word "**ten**"; and

Further amend said section, Line 6, by deleting the word "**Southwest**"; and

Further amend said section, Line 8, by deleting the word "**Southwest**"; and

Further amend said section, Line 15, by deleting the word "**Southwest**".

Representative Pearce assumed the Chair.

Speaker Hanaway resumed the Chair.

Representative Seigfreid moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Abel	Bishop	Bland	Bringer	Brooks
Campbell	Carnahan	Corcoran	Curls	Darrough
Daus	Davis 122	Donnelly	Dougherty	El-Amin
Fraser	George	Graham	Green	Harris 110
Harris 23	Henke	Hilgemann	Johnson 47	Johnson 90
Jolly	Jones	Kelly 36	Kratky	LeVota
Liese	Lowe	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Vogt	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Zweifel		

NOES: 093

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hampton
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 61	Kelly 144
King	Kingery	Kuessner	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieve	Parker	Pearce	Phillips	Portwood
Pratt	Quinn	Rector	Reinhart	Richard

Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Taylor
Threlkeld	Viebrock	Villa	Wallace	Walton
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Young	Madam Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Boykins	Burnett	Deeken	Haywood
Lawson	McKenna	Purgason	Sutherland	Townley
Wagner				

VACANCIES: 001

Representative Sager moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 053

Abel	Baker	Barnitz	Bishop	Bringer
Brooks	Campbell	Carnahan	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Green	Harris 110	Harris 23
Henke	Hilgemann	Johnson 47	Johnson 90	Jolly
Kelly 36	LeVota	Liese	Lowe	Meiners
Muckler	Page	Pratt	Ransdall	Sager
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Vogt	Walker	Walsh
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Witte	Yaeger	Zweifel		

NOES: 099

Angst	Bean	Bearden	Behnen	Bivins
Black	Bland	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hampton	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 61	Jones	Kelly 144	King	Kingery
Kratky	Kuessner	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Taylor	Thompson
Threlkeld	Viebrock	Villa	Wallace	Walton
Wasson	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Young	Madam Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Boykins	Burnett	Haywood	Lawson
McKenna	Purgason	Sutherland	Townley	Wagner

VACANCIES: 001

Representative Smith (14) offered **House Amendment No. 3.**

Representative Goodman raised a point of order that **House Amendment No. 3** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Shoemyer offered **House Amendment No. 4.**

Representative Goodman raised a point of order that **House Amendment No. 4** is out of order.

The Chair ruled the point of order well taken.

Representative Graham offered **House Amendment No. 5.**

Representative Goodman raised a point of order that **House Amendment No. 5** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Carnahan offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 777, Page 1, Section 174.020, Line 6, by striking “[Southwest] Missouri State University” and inserting in lieu thereof the following: “**University of Missouri at Springfield**”; and

Further amend said bill, Page 2, Section 174.450, Lines 2 and 3 of said page, by striking “[Southwest] Missouri State University” and inserting in lieu thereof the following: “**University of Missouri at Springfield**”; and

Further amend such bill and section, Page 2, by striking Lines 17 through 25; and

Further amend such bill and section, Pages 2 and 3, Section 1, by striking all of said section.

Representative Pearce resumed the Chair.

Speaker Hanaway resumed the Chair.

Representative Carnahan moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Bringer	Brooks	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	Dusenberg	El-Amin	Fraser	George
Graham	Green	Guest	Harris 110	Harris 23
Henke	Hilgemann	Hubbard	Icet	Johnson 90
Jolly	Jones	Kelly 36	Kratky	LeVota
Liese	Lowe	Meiners	Muckler	Page
Pratt	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Smith 14
Spreng	Swinger	Thompson	Threlkeld	Vogt
Walker	Walsh	Ward	Whorton	Wildberger
Wilson 25	Wilson 42	Witte	Yaeger	Yates
Zweifel				

NOES: 083

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Brown	Bruns	Byrd	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 19
Dempsey	Dethrow	Dixon	Emery	Engler
Ervin	Fares	Goodman	Hampton	Hobbs
Holand	Hoskins	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Kuessner	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Miller	Moore	Morris	Munzlinger	Myers
Parker	Pearce	Phillips	Portwood	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Smith 118	St. Onge	Stefanick	Stevenson
Taylor	Townley	Viebrock	Villa	Wallace
Walton	Wasson	Wilson 119	Wilson 130	Wood
Wright	Young	Madam Speaker		

PRESENT: 001

Abel

ABSENT WITH LEAVE: 017

Avery	Boykins	Burnett	Cooper 120	Deeken
Haywood	Hunter	Johnson 61	Lawson	Mayer
McKenna	Nieves	Purgason	Shoemaker	Sutherland
Wagner	Willoughby			

VACANCIES: 001

Representative Harris (23) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 777, Page 2, Section 174.450, Line 25, by inserting immediately at the end of said line the following: “**the governing board shall reflect the racial diversity of the state**”

of Missouri as reasonably as possible, and in that regard, at least one member of the governing board shall be African-American.”.

Representative Harris (23) moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Skaggs offered **House Amendment No. 8**.

Representative Goodman raised a point of order that **House Amendment No. 8** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

On motion of Representative Marsh, **HCS HB 777** was adopted.

On motion of Representative Marsh, **HCS HB 777** was ordered perfected and printed.

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 5** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1001 - Budget
HB 1002 - Budget
HB 1003 - Budget
HB 1004 - Budget
HB 1005 - Budget
HB 1006 - Budget
HB 1007 - Budget
HB 1008 - Budget
HB 1009 - Budget
HB 1010 - Budget
HB 1011 - Budget
HB 1012 - Budget

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 905 - Professional Registration and Licensing

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 758**, entitled:

An act to repeal section 67.1360, RSMo, and to enact in lieu thereof one new section relating to tourism taxes.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 767**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the establishment of the Edwin P. Hubble Memorial Highway.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 769**, entitled:

An act to repeal section 223.295, RSMo, and to enact in lieu thereof one new section relating to dissolution of road districts in certain counties.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 770**, entitled:

An act to repeal section 227.340, RSMo, and to enact in lieu thereof one new section relating to the George Washington Carver Memorial Highway.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 782**, entitled:

An act to repeal sections 54.150, 54.170, and 54.261, RSMo, and to enact in lieu thereof four new sections relating to county treasurers.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 789**, entitled:

An act to repeal sections 48.020 and 48.030, RSMo, and to enact in lieu thereof two new sections relating to county classification.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 932**, entitled:

An act to repeal section 288.060, RSMo, and to enact in lieu thereof one new section relating to employment.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 942, 850 & 841**, entitled:

An act to authorize the governor to convey certain tracts of state property, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1006**, entitled:

An act to amend chapter 277, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1028**, entitled:

An act to repeal sections 34.010, 34.031, 34.032, 34.040, 34.065, and 34.130, RSMo, and to enact in lieu thereof four new sections relating to state purchasing.

In which the concurrence of the House is respectfully requested.

COMMUNICATION FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE HOUSE

Mr. Stephen S. Davis
Jefferson City, MO

Sir:

I, Matt Blunt, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 101st Legislative District in the State of Missouri, on the 3rd day of February, 2004, as provided by law, the following named person was elected to the office of State Representative, 101st District as shown by the election results certified to this office by the election authority of the 101st Legislative District.

Name

Office

Tim Meadows
1027 Canterbury Circle
Imperial, Missouri 63052

State Representative
101st Legislative District

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed the seal of my office this 10th day
of February 2004

/s/ Matt Blunt
Secretary of State

WITHDRAWAL OF HOUSE BILLS

February 10, 2004

Stephen S. Davis
Chief Clerk
House of Representatives
Jefferson City, Missouri 65101

Dear Stephen:

I am writing to request withdrawal of **House Bill 810**, which I introduced in December.

Thank you for your attention to this matter.

Sincerely,

/s/ Otto Bean, Jr.
State Representative
163rd District

TO: Steve Davis, Chief Clerk

FROM: Doug Ervin

DATE: February 10, 2004

RE: HB 1413

I wish to withdraw **House Bill 1413**, due to drafting errors in the bill.

Should you need additional information, please let me know.

ADJOURNMENT

On motion of Representative Wright, the House adjourned until 10:00 a.m., Wednesday, February 11, 2004.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Eighteenth Day, Monday, February 9, 2004, Pages 251 and 252, roll call, by showing Representative Curls voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 7.
Office of Administration, Judiciary, and Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 11, 2004, 2:45 p.m. Hearing Room 7.
Office of Administration, Judiciary, and Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 12, 2004, 8:00 a.m. Hearing Room 7.
Public Defender, General Assembly, Office of the Governor and Office of the Lt. Governor.
CORRECTED NOTICE

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 16, 2004, 1:00 p.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.
Public testimony. Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 6.
Departments of Public Safety and Corrections. Department presentations.
Review Governor's budget recommendations.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 12, 2004, Hearing Room 6 upon morning adjournment.
Departments of Public Safety and Corrections. Department presentations.
Review Governor's recommendations.

BUDGET

Wednesday, February 11, 2004, 8:00 a.m. Hearing Room 3.
Executive session will be held on: HB 1014

BUDGET

Thursday, February 12, 2004, 8:00 a.m. Hearing Room 3.
Executive session will be held on: HB 1014

CHILDREN AND FAMILIES

Wednesday, February 11, 2004, Hearing Room 1 upon evening adjournment.
Executive session may follow.
Public hearings to be held on: HB 1120, HB 846, HB 915

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 1276, HB 1209, HJR 35, HB 862

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 11, 2004, 8:30 a.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 1215, HB 1168, HB 1059, HB 1103, HB 1075

EDUCATION

Wednesday, February 11, 2004, 5:00 p.m. Hearing Room 3.
Possible Executive session on previously heard bills.
Public hearings to be held on: HB 1048, HB 1380, HB 1333, HB 1360

HEALTH CARE POLICY

Wednesday, February 11, 2004, 5:00 p.m. Hearing Room 6.
Public hearings to be held on: HB 809, HB 1174, SCS SB 1003
Executive session will be held on: HB 923

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 1117, HB 1239

JOINT COMMITTEE ON CORRECTIONS

Thursday, February 19, 2004, 8:30 a.m. Hearing Room 5.
Regular business meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration, Division of Facilities

Management, State leasing practices. Any other business.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Friday, February 13, 2004, 8:30 a.m. Senate Lounge.

JOINT INTERIM COMMITTEE ON EDUCATION

Wednesday, February 11, 2004, 7:30 p.m. Senate Committee Room 2.

Discussion on draft report of committee.

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, February 12, 2004, 12:00 p.m. Senate Committee Room 2.

Final report of committee.

JUDICIARY

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 1.

Executive session on other bills may follow.

Public hearings to be held on: HB 1179, HB 1305

Executive session will be held on: HB 1304

LOCAL GOVERNMENT

Thursday, February 12, 2004, 8:30 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 1128, HB 1162, HB 1166, HB 975

SENIOR SECURITY

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1230, HB 1302

SMALL BUSINESS

Wednesday, February 11, 2004, Hearing Room 4 upon noon adjournment.

Public hearings to be held on: HB 1058

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 7.

Executive session to follow.

Public hearings to be held on: HB 912, HB 1149, HB 826, HB 1167,

HB 1114, HB 937, HB 1029, HB 1108, HB 1200

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 11, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1397

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 11, 2004

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 51 through HJR 53

HOUSE BILLS FOR SECOND READING

HB 1435 through HB 1459

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041 - Cunningham (86)
- 4 HCS HB 1040 - Cunningham (86)
- 5 HCS HB 1268 & 1211 - Smith (118)
- 6 HCS HB 978 - Baker (123)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HCS HB 777 - Marsh (136)

HOUSE BILL FOR THIRD READING - CONSENT

HB 994 - Cunningham (145)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 758
- 2 SCS SB 767
- 3 SB 769
- 4 SB 770

5 SCS SB 782

6 SCS SB 789

7 SB 932

8 SCS SBs 942, 850 & 841

9 SCS SB 1006

10 SB 1028

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 11, 2004

The House met pursuant to adjournment.

Representative Cunningham (145) in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your Word declares, "Whoever walks with the wise becomes wise, but the companion of the foolish will suffer harm." Grant us wise companionship and counsel that we may become wiser.

Give us understanding of this truth: that where there is a lack of wise counsel, our purposes are frustrated, but with the abundance of good counsel, plans are accomplished.

May we give the right answer at the right time in the hope that everyone would hear and respond appropriately.

Now may Your grace rest and abide with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hillary Greenwell, Shelby Schmitz, Paige Dimmitt, Miranda Lawson, Sephra Pompa and Curtisea Pompa.

The Journal of the nineteenth day was approved as printed.

Speaker Hanaway assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 486	-	Representative Crowell
House Resolution No. 487	-	Representative Munzlinger
House Resolution No. 488	-	Representative Goodman
House Resolution No. 489		
through		
House Resolution No. 491	-	Representative Yates
House Resolution No. 492	-	Representative Selby

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1460, introduced by Representatives El-Amin, Hoskins, Sanders Brooks, Wilson (42), Riback Wilson (25), Thompson, Bland, Johnson (47), Hubbard, Curls, Donnelly, Daus, Hilgemann, Harris (110), Walker, Dougherty, Skaggs and Villa, relating to jury service.

HB 1461, introduced by Representatives El-Amin, Hubbard, Sanders Brooks, Wilson (42), Thompson, Bland, Walton, Johnson (61), Hoskins, Boykins, Haywood, Donnelly and Hilgemann, relating to civilian review boards.

HB 1462, introduced by Representatives Bean, Mayer, Kingery, Myers, Lipke, Reinhart, Swinger, Lembke, Roark, Black, Portwood, Guest, Bivins and Wallace, to authorize the conveyance of property owned by the state in the county of Stoddard to the city of Bernie.

HB 1463, introduced by Representatives Campbell, Seigfreid, Moore and Shoemyer, relating to the safe staffing and quality care accountability acts.

HB 1464, introduced by Representatives Lager, Wasson, Stefanick, Ruestman and Page, relating to the practice of dentistry.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 51 through **HJR 53** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1435 through **HB 1459** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 758, SCS SB 767, SB 769, SB 770, SCS SB 782, SCS SB 789, SB 932, SCS SBs 942, 850 & 841, SCS SB 1006 and SB 1028 were read the second time.

SPECIAL RECOGNITION

Willis Case was introduced by Representative Cunningham (145) and recognized as an Outstanding Missourian.

THIRD READING OF HOUSE BILL

HCS HB 777, relating to state institutions of higher education, was taken up by Representative Marsh.

Representative Marsh moved that **HCS HB 777** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 073

Abel	Angst	Bearden	Bishop	Bivins
Bough	Bruns	Byrd	Cooper 155	Crawford
Cunningham 145	Davis 19	Dempsey	Dethrow	Dixon
Emery	Engler	Ervin	Goodman	Hampton
Holand	Hunter	Jackson	Jetton	Johnson 61
Kelly 144	King	Kingery	Kuessner	Lager
Lembke	Luetkemeyer	Marsh	McKenna	Miller
Moore	Morris	Nieves	Parker	Pearce
Phillips	Portwood	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Schaaf	Schlottach	Schneider	Schoemehl	Self
Shoemaker	Spreng	St. Onge	Stevenson	Taylor
Viebrock	Villa	Wagner	Wallace	Walton
Ward	Wasson	Wilson 119	Wilson 130	Wood
Wright	Young	Madam Speaker		

NOES: 083

Baker	Barnitz	Bean	Behnen	Black
Bland	Boykins	Bringer	Brooks	Brown
Burnett	Campbell	Carnahan	Cooper 120	Corcoran
Crowell	Curls	Darrough	Daus	Davis 122
Deeken	Donnelly	Dougherty	Dusenberg	El-Amin
Fares	Fraser	George	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Ice	Johnson 47
Johnson 90	Jolly	Jones	Kelly 36	Kratky
LeVota	Liese	Lipke	Lowe	May
Mayer	Meiners	Muckler	Munzlinger	Myers
Page	Pratt	Sager	Salva	Sander
Seigfreid	Selby	Shoemyer	Skaggs	Smith 118
Smith 14	Stefanick	Swinger	Thompson	Threlkeld
Townley	Vogt	Walker	Walsh	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Yates	Zweifel		

PRESENT: 003

Cunningham 86	Hilgemann	Lawson
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ABSENT WITH LEAVE: 003

Avery	Ransdall	Sutherland
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VACANCIES: 001

SIGNING OF HOUSE CONCURRENT RESOLUTION

Having been duly signed in open session of the Senate, **HCR 5** was delivered to the Governor by the Chief Clerk of the House.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

OATH OF OFFICE

Representative-elect Tim Meadows advanced to the bar and subscribed to the oath of office, which was administered by Speaker of the House, Catherine L. Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 493

and

House Resolution No. 494 - Representative Sander

House Resolution No. 495 - Representative Walker

House Resolution No. 496 - Representative Johnson (61)

House Resolution No. 497 - Representative Shoemyer

House Resolution No. 498 - Representative Bland, et al

House Resolution No. 499 - Representative Donnelly

House Resolution No. 500 - Representative Crowell

House Resolution No. 501

and

House Resolution No. 502 - Representative Jetton

House Resolution No. 503 - Representative Icet

HOUSE CONCURRENT RESOLUTION

Representative Baker, et al, offered House Concurrent Resolution No. 23.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1465, introduced by Representatives Kelly (36), Moore, Johnson (61), Bruns and Jolly, relating to fees for criminal history requests.

HB 1466, introduced by Representatives Meiners, Walker, Burnett, Wildberger, Curls, Kratky, Ward, Yaeger, Villa, Hubbard, Vogt, Campbell, Daus, LeVota, Young, Lowe, Donnelly, Muckler, Carnahan, Dougherty, Abel, Hilgemann and Riback Wilson (25), relating to gaming.

HB 1467, introduced by Representatives Sutherland, Smith (118), Engler, Jetton, Wilson (119), Dougherty, Ervin, Sager, Baker, Pratt, Morris, Young, Phillips and Stefanick, relating to the senior citizens' homestead tax relief act.

HB 1468, introduced by Representative Byrd, relating to wearing seat belts.

HB 1469, introduced by Representatives Jolly, Johnson (90), Vogt, Skaggs, Spreng, Liese, Ward and Sanders Brooks, relating to health insurance.

HB 1470, introduced by Representatives Mayer, Kratky, Vogt, Salva, Bringer, Carnahan, Richard, Hubbard, Kuessner, Daus, Villa, Moore, Schoemehl, Taylor, Spreng, McKenna, Corcoran, Abel, Seigfreid, Ward, Green, Muckler, Jones, Kelly (36), Walsh, Johnson (47), Donnelly, Liese, Wildberger, Johnson (61), Jolly, Jackson, Swinger, Hilgemann, George and Jetton, relating to stealing.

HB 1471, introduced by Representatives Sanders Brooks, Johnson (47), LeVota, Skaggs, Wilson (42), Curls, Phillips, Dusenberger, Bland, Brown, Yates, Bishop, Meiners, Lowe, Reinhart, Willoughby, Pratt, Dougherty, Burnett, Salva, Young, Walker, Sager, Campbell and Jolly, to authorize the conveyance of property owned by the state in the county of Jackson to the Truman Medical Center.

PERFECTION OF HOUSE BILLS

HCS HB 1040, relating to education accountability, was taken up by Representative Cunningham (86).

Representative Johnson (90) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1040, Page 4, Section 161.089, Line 11, by inserting immediately at the end of said line the following:

“161.096. The state board of education shall audit each school district’s transportation contracts, including bidding procedures and transportation rates, on an annual basis.”; and

Further amend said bill, Page 4, Section 161.209, Line 9, by inserting immediately at the end of said line the following:

“162.065. Any school district which provides bussing services to its students and any private transportation company which provides bussing services to a school district shall do the following:

(1) Consult the Missouri sex offender registration list prior to selecting school bus stops; and

(2) Have manifests containing the name, home address, bus stop, and destination of each student that is allowed to use a school bus and provide a copy of such list to each school bus driver so that any person who attempts to board a school bus who is not on such manifest can be denied access to such bus.

162.067. During fall registration, all school districts shall provide, to each student’s parent or family, background information on the district’s transportation program which shall include the name of the private transportation company the district uses, if any, the results of highway patrol safety inspections on busses that will be used to transport students, and any corporate safety information regarding such busses that is available.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wallace raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Byrd requested a division of the question on **House Amendment No. 1**.

House Amendment No. 1

PART I

AMEND House Committee Substitute for House Bill No. 1040, Page 4, Section 161.089, Line 11, by inserting immediately at the end of said line the following:

“161.096. The state board of education shall audit each school district’s transportation contracts, including bidding procedures and transportation rates, on an annual basis.”.

On motion of Representative Johnson (90), **Part I of House Amendment No. 1** was adopted by the following vote:

AYES: 138

Abel	Angst	Baker	Barnitz	Bean
Bearden	Bishop	Bivins	Black	Bland
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lowe	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Moore	Muckler	Munzlinger
Myers	Nieves	Page	Pearce	Phillips
Pratt	Quinn	Ransdall	Rector	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stevenson	Swinger
Thompson	Threlkeld	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 018

Behnen	Bough	Cooper 155	Fares	Lipke
Miller	Parker	Portwood	Purgason	Reinhart
Richard	Roark	Stefanick	Taylor	Viebrock
Wallace	Wasson	Wilson 119		

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	Haywood	Marsh	Morris
Sutherland	Townley			

House Amendment No. 1

PART II

AMEND House Committee Substitute for House Bill No. 1040, Page 4, Section 161.209, Line 9, by inserting immediately at the end of said line the following:

“162.065. Any school district which provides bussing services to its students and any private transportation company which provides bussing services to a school district shall do the following:

(1) Consult the Missouri sex offender registration list prior to selecting school bus stops; and

(2) Have manifests containing the name, home address, bus stop, and destination of each student that is allowed to use a school bus and provide a copy of such list to each school bus driver so that any person who attempts to board a school bus who is not on such manifest can be denied access to such bus.

162.067. During fall registration, all school districts shall provide, to each student’s parent or family, background information on the district’s transportation program which shall include the name of the private transportation company the district uses, if any, the results of highway patrol safety inspections on busses that will be used to transport students, and any corporate safety information regarding such busses that is available.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **Part II of House Amendment No. 1** was adopted by the following vote:

AYES: 144

Abel	Angst	Baker	Barnitz	Bearden
Behnen	Bishop	Bivins	Black	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	Kingery
Kratky	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May

Mayer	McKenna	Meadows	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Swinger	Thompson
Threlkeld	Townley	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 007

Bough	Cunningham 145	King	Miller	Taylor
Viebrock	Wallace			

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bean	Bland	Boykins	Crawford
Haywood	Hunter	Kuessner	Marsh	Meiners
Sutherland	Wasson			

Representative Jolly offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1040, Page 1, Section A, Line 3, by inserting after all of said line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to teachers and other school district employees with a need to know. For the purposes of this chapter or chapter 167, RSMo, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002, RSMo, to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following felonies, or any act which if committed by an adult would be one of the following felonies:

- (1) First degree murder under section 565.020, RSMo;
- (2) Second degree murder under section 565.021, RSMo;

- (3) Kidnapping under section 565.110, RSMo;
- (4) First degree assault under section 565.050, RSMo;
- (5) Forcible rape under section 566.030, RSMo;
- (6) Forcible sodomy under section 566.060, RSMo;
- (7) Burglary in the first degree under section 569.160, RSMo;
- (8) Burglary in the second degree under section 569.170, RSMo;
- (9) Robbery in the first degree under section 569.020, RSMo;
- (10) Distribution of drugs under section 195.211, RSMo;
- (11) Distribution of drugs to a minor under section 195.212, RSMo;
- (12) Arson in the first degree under section 569.040, RSMo;
- (13) Voluntary manslaughter under section 565.023, RSMo;
- (14) Involuntary manslaughter under section 565.024, RSMo;
- (15) Second degree assault under section 565.060, RSMo;
- (16) Sexual assault under section 566.040, RSMo;
- (17) Felonious restraint under section 565.120, RSMo;
- (18) Property damage in the first degree under section 569.100, RSMo;
- (19) The possession of a weapon under chapter 571, RSMo;
- (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo; or
- (23) Sexual abuse pursuant to section 566.100, RSMo;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any public school in the school district where such student attended school unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student; or
- (3) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171, RSMo. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights.

[3.] **5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:**

- (1) The superintendent, or in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and
- (2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

[4.] 6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010, RSMo: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

[5.] 7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

[6.] 8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policy of discipline developed by each board under this section, or when reporting to his or her supervisor or other person as mandated by state law, acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

[7.] 9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. Acts of violence as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020, RSMo, to any school district in which the student subsequently attempts to enroll.

[8.] 10. Spanking, when administered by certificated personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210, RSMo. The provisions of sections 210.110 to 210.165, RSMo, notwithstanding, the division of family services shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to any spanking administered in a reasonable manner by any certificated school personnel pursuant to a written policy of discipline established by the board of education of the school district. Upon receipt of any reports of child abuse by the division of family services pursuant to sections 210.110 to 210.165, RSMo, which allegedly involves personnel of a school district, the division of family services shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the division of family services and take no further action. In all matters referred back to the division of family services, the division of family services shall treat the report in the same manner as other reports of alleged child abuse received by the division. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the juvenile officer of the county in which the alleged incident occurred. The report shall be jointly investigated by the juvenile officer or a law enforcement officer designated by the juvenile officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by the juvenile officer or a law enforcement officer designated by the juvenile officer and the president of the school board or such president's designee. The investigation shall begin no later than forty-eight hours after notification from the division of family services is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the division of family services. The

reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated. The school board shall consider the separate reports and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school board personnel agree that the evidence shows that no abuse occurred;

(2) The report of the alleged child abuse is substantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel agree that the evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

[9.] **11.** The findings and conclusions of the school board shall be sent to the division of family services. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the division of family services' central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the division of family services shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the division of family services shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the division of family services unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

[10.] **12.** Any superintendent of schools, president of a school board or such person's designee or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Stevenson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Speaker Pro Tem Jetton assumed the Chair.

On motion of Representative Jolly, **House Amendment No. 2** was adopted by the following vote:

AYES: 133

Abel	Angst	Baker	Barnitz	Bearden
Behnen	Bishop	Black	Bland	Bough
Bringer	Brooks	Brown	Bruns	Burnett
Campbell	Carnahan	Corcoran	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Engler	Ervin	Fraser
George	Goodman	Green	Guest	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones

Kelly 144	Kelly 36	King	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lowe	Luetkemeyer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Swinger	Taylor	Thompson
Threlkeld	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel		

NOES: 015

Bivins	Byrd	Cooper 155	Davis 19	El-Amin
Emery	Fares	Kingery	Lipke	May
Myers	Schaaf	Stevenson	Townley	Wasson

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Bean	Boykins	Cooper 120	Crawford
Graham	Hampton	Haywood	Holand	Marsh
Mayer	Shoemyer	Sutherland	Wagner	Madam Speaker

Representative Hilgemann offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1040, Page 5, Section 162.261, Line 16, by inserting after all of said line the following:

"167.031. 1. Every parent, guardian or other person in this state having charge, control or custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance in a combination of such schools and between the ages of seven [and sixteen] years **and the compulsory attendance age for the district** is responsible for enrolling the child in a program of academic instruction which complies with subsection 2 of this section. Any parent, guardian or other person who enrolls a child between the ages of five and seven years in a public school program of academic instruction shall cause such child to attend the academic program on a regular basis, according to this section. Nonattendance by such child shall cause such parent, guardian or other responsible person to be in violation of the provisions of section 167.061, except as provided by this section. A parent, guardian or other person in this state having charge, control, or custody of a child between the ages of seven [and sixteen] years of age **and the compulsory attendance age for the district** shall cause the child to attend regularly some public, private, parochial, parish, home school or a combination of such schools not less than the entire school term of the school which the child attends; except that

(1) A child who, to the satisfaction of the superintendent of public schools of the district in which he resides, or if there is no superintendent then the chief school officer, is determined to be mentally or physically incapacitated may be excused from attendance at school for the full time required, or any part thereof;

(2) A child between fourteen [and sixteen] years of age **and the compulsory attendance age for the district** may be excused from attendance at school for the full time required, or any part thereof, by the superintendent of public schools of the district, or if there is none then by a court of competent jurisdiction, when legal employment has been

obtained by the child and found to be desirable, and after the parents or guardian of the child have been advised of the pending action; or

(3) A child between five and seven years of age shall be excused from attendance at school if a parent, guardian or other person having charge, control or custody of the child makes a written request that the child be dropped from the school's rolls.

2. (1) As used in sections 167.031 to 167.071, a "home school" is a school, whether incorporated or unincorporated, that:

- (a) Has as its primary purpose the provision of private or religious-based instruction;
- (b) Enrolls pupils between the ages of seven [and sixteen] years **and the compulsory attendance age for the district**, of which no more than four are unrelated by affinity or consanguinity in the third degree; and
- (c) Does not charge or receive consideration in the form of tuition, fees, or other remuneration in a genuine and fair exchange for provision of instruction;

(2) As evidence that a child is receiving regular instruction, the parent shall, **except as otherwise provided in this subsection**:

- (a) Maintain the following records:
 - a. A plan book, diary, or other written record indicating subjects taught and activities engaged in; and
 - b. A portfolio of samples of the child's academic work; and
 - c. A record of evaluations of the child's academic progress; or
 - d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and
- (b) Offer at least one thousand hours of instruction, at least six hundred hours of which will be in reading, language arts, mathematics, social studies and science or academic courses that are related to the aforementioned subject areas and consonant with the pupil's age and ability. At least four hundred of the six hundred hours shall occur at the regular home school location;

(3) The requirements of subdivision (2) of this subsection shall not apply to any pupil above the age of sixteen years.

3. Nothing in this section shall require a private, parochial, parish or home school to include in its curriculum any concept, topic, or practice in conflict with the school's religious doctrines or to exclude from its curriculum any concept, topic, or practice consistent with the school's religious doctrines. Any other provision of the law to the contrary notwithstanding, all departments or agencies of the state of Missouri shall be prohibited from dictating through rule, regulation or other device any statewide curriculum for private, parochial, parish or home schools.

4. A school year begins on the first day of July and ends on the thirtieth day of June following.

5. The production by a parent of a daily log showing that a home school has a course of instruction which satisfies the requirements of this section **or, in the case of a pupil over the age of sixteen years who attended a metropolitan school district the previous year, a written statement that the pupil is attending home school in compliance with this section** shall be a defense to any prosecution under this section and to any charge or action for educational neglect brought pursuant to chapter 210, RSMo.

6. As used in sections 167.031 to 167.051, the term "compulsory attendance age for the district" shall mean:

- (1) Seventeen years of age for any metropolitan school district for which the school board adopts a resolution to establish such compulsory attendance age; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted; and**
- (2) Sixteen years of age in all other cases.**

The school board of a metropolitan school district for which the compulsory attendance age is seventeen years may adopt a resolution to lower the compulsory attendance age to sixteen years; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted.

167.051. 1. If a school board establishes part-time schools or classes for children under [sixteen] **seventeen** years of age, lawfully engaged in any regular employment, every parent, guardian or other person having charge, control or custody of such a child shall cause the child to attend the school not less than four hours a week between the hours of eight o'clock in the morning and five o'clock in the evening during the school year of the part-time classes.

2. All children who are under eighteen years of age, who have not completed the elementary school course in the public schools of Missouri, or its equivalent, and who are not attending regularly any day school shall be required to attend regularly the part-time classes not less than four hours a week between the hours of eight o'clock in the morning and five o'clock in the afternoon during the entire year of the part-time classes."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative St. Onge raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Hilgemann, **House Amendment No. 3** was adopted.

Representative Wilson (130) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1040, Page 3, Section 160.518, Lines 69 to 71, by striking all of said lines and inserting in lieu thereof the following:

“(1) Institute performance standards for the statewide assessment system as follows: ‘below grade level,’ ‘at grade level,’ ‘above grade level,’ and ‘level not determined,’ based on the approved grade level expectations developed by the department of elementary and secondary education;

(2) Align the ‘at grade level’ performance standard of the statewide assessment system so that it meets but does not exceed the ‘proficient’ level of the National Assessment of Educational Progress examination;”; and

Further amend said bill, Page 3, Section 160.518, Lines 72 and 74, by renumbering subdivisions **(2)** and **(3)** as **(3)** and **(4)**; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (130), **House Amendment No. 4** was adopted.

Representative Muckler offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1040, Page 5, Section 162.261, Line 16, by adding after all of said line the following:

“163.036. 1. In computing the amount of state aid a school district is entitled to receive **for the minimum school term only** under section 163.031, a school district may use an estimate of the number of eligible pupils for the ensuing year, the number of eligible pupils for the immediately preceding year or the number of eligible pupils for the second preceding school year, whichever is greater. **Beginning with the 2004-2005 school year, the summer school add-on for eligible pupils, as defined in section 163.011, shall include only those eligible pupils that attend summer school in the ensuing year.** Except as otherwise provided in subsection 3 of this section, any error made in the apportionment of state aid because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating eligible pupils exceeds the amount to which the district was actually entitled by more than five percent, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

2. Notwithstanding the provisions of subsection 1 of this section or any other provision of law, the state board of education shall make an adjustment for the immediately preceding year for any increase in the actual number of eligible pupils above the number on which the state aid in section 163.031 was calculated. Said adjustment shall be made in the manner providing for correction of errors under subsection 1 of this section.

3. (1) For any district which has, for at least five years immediately preceding the year in which the error is discovered, adopted a calendar for the school term in which elementary schools are in session for twelve months of each calendar year, any error made in the apportionment of state aid to such district because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091 and subsection 1 of this section, except that if the amount paid exceeds the amount to which the district was actually entitled by more than five percent and the district provides written application to the state board requesting that the deductions be made pursuant to subdivision (2) of this subsection, then the amounts shall be deducted pursuant to subdivision (2) of this subsection.

(2) For deductions made pursuant to this subdivision, interest at the rate of six percent shall be charged on the excess and shall be included in the amount deducted and the total amount of such excess plus accrued interest shall be deducted from the district's apportionment in equal monthly amounts beginning with the succeeding school year and extending for a period of months specified by the district in its written request and no longer than sixty months.

4. For the purposes of distribution of state school aid pursuant to section 163.031, a school district may elect to use the district's equalized assessed valuation for the preceding year, or an estimate of the current year's assessed valuation if the current year's equalized assessed valuation is estimated to be more than ten percent less than the district's equalized assessed valuation for the preceding year. A district shall give prior notice to the department of its intention to use the current year's assessed valuation pursuant to this subsection. Any error made in the apportionment of state aid because of a difference between the actual equalized assessed valuation for the current year and the estimated equalized assessed valuation for the current year shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating current equalized assessed valuation exceeds the amount to which the district was actually entitled, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

5. For the purposes of distribution of state school aid pursuant to section 163.031, a school district with ten percent or more of its assessed valuation that is owned by one person or corporation as commercial or personal property who is delinquent in a property tax payment may elect, after receiving notice from the county clerk on or before March fifteenth, except in the year enacted, that more than ten percent of its current taxes due the preceding December thirty-first by a single property owner are delinquent, to use on line 2 of the state aid formula the district's equalized assessed valuation for the preceding year or the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which the current year's property tax is delinquent. To qualify for use of the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which the current year's property tax is delinquent, a district must notify the department of elementary and secondary education on or before April first, except in the year enacted, of the current year amount of delinquent taxes, the assessed valuation of such property for which delinquent taxes are owed and the total assessed valuation of the district for the year in which the taxes were due but not paid. Any district giving such notice to the department of elementary and secondary education shall present verification of the accuracy of such notice obtained from the clerk of the county levying delinquent taxes. When any of the delinquent taxes identified by such notice are paid during a four- year period following the due date, the county clerk shall give notice to the district and the department of elementary and secondary education, and state aid paid to the district shall be reduced by an amount equal to the delinquent taxes received plus interest. The reduction in state aid shall occur over a period not to exceed five years and the interest rate on excess state aid not refunded shall be six percent annually.

6. If a district receives state aid based on equalized assessed valuation as determined by subsection 5 of this section and if prior to such notice the district was paid state aid pursuant to subdivision (2) of subsection 5 of section 163.031, the amount of state aid paid during the year of such notice and the first year following shall equal the sum of state aid paid pursuant to line 1 minus line 10 as defined in subsections 1, 2, 3 and 6 of section 163.031 plus the difference between the state aid amount being paid after such notice minus the amount of state aid the district would have received pursuant to line 1 minus line 10 as defined in subsections 1, 2, 3 and 6 of section 163.031 before such notice. To be eligible to receive state aid based on this provision the district must levy during the first year following such notice at least the maximum levy permitted school districts by article X, section 11(b) of the Missouri Constitution and have a voluntary rollback of its tax rate which is no greater than one cent per one hundred dollars assessed valuation.” ; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Muckler, **House Amendment No. 5** was adopted.

Representative Skaggs offered **House Amendment No. 6**.

House Amendment No. 6 was withdrawn.

On motion of Representative Cunningham (86), **HCS HB 1040, as amended**, was adopted.

On motion of Representative Cunningham (86), **HCS HB 1040, as amended**, was ordered perfected and printed.

HCS HB 1041, relating to school personnel, was taken up by Representative Cunningham (86).

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1041, Page 3, Section 168.126, Line 49, by adding after said line the following:

"168.305. 1. The state board of education shall submit a written report to the general assembly beginning on October 1, 2004, and annually thereafter, disclosing the number of certified and noncertified teaching positions filled pursuant to section 169.596, RSMo. The report shall include the following:

- (1) The number of positions filled by retirees on a district-by-district basis;**
- (2) The name of individual, title, and salary or contract amount for each filled position; and**
- (3) The amount of employer contribution payments made pursuant to section 169.596, RSMo.**

2. In addition to the information required pursuant to subsection 1 of this section, each school district shall provide the following information to the state board of education to verify compliance with section 169.596, RSMo:

- (1) Copies of vacancy postings;**
- (2) Verification of any early retirement incentive;"**.

Representative Dempsey moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Lager offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1041, Page 1, Section 162.032, Line 9, by inserting after all of said line the following:

"163.031. 1. School districts which meet the requirements of section 163.021 shall be entitled to an amount computed as follows: an amount determined by multiplying the number of eligible pupils by the lesser of the district's equalized operating levy for school purposes as defined in section 163.011 or two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor plus an amount determined by multiplying the number of eligible pupils by the greater of zero or the district's equalized operating levy for school purposes as defined in section 163.011 minus two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor. For the purposes of this section, the proration factor shall be equal to the sum of the total appropriation for distribution

under subsections 1 and 2 of this section; and the state total of the deductions as calculated in subsection 2 of this section which do not exceed the district entitlements as adjusted by the same proration factor; divided by the amount of the state total of district entitlements before proration as calculated pursuant to this subsection; provided that, if the proration factor so calculated is greater than one, the proration factor for line 1(b) shall be the greater of one or the proration factor for line 1(a) minus five hundredths, and provided that if the proration factor so calculated is less than one, the proration factor for line 1(a) shall be the lesser of one or the proration factor for line 1(b) plus five hundredths.

2. From the district entitlement for each district there shall be deducted the following amounts: an amount determined by multiplying the district equalized assessed valuation by the district's equalized operating levy for school purposes times the district income factor plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year; one hundred percent of the amount received the previous year for school purposes from intangible taxes, fines, forfeitures and escheats, payments in lieu of taxes and receipts from state assessed railroad and utility tax, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included; one hundred percent of the amounts received the previous year for school purposes from federal properties pursuant to sections 12.070 and 12.080, RSMo; federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less fifty thousand dollars multiplied by ninety percent or the maximum percentage allowed by federal regulation if that percentage is less than ninety; fifty percent, or the percentage otherwise provided in section 163.087 of Proposition C revenues received the previous year for school purposes from the school district trust fund pursuant to section 163.087; one hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo; and one hundred percent of the amount received the previous year for school purposes from the free textbook fund, pursuant to section 148.360, RSMo.

3. School districts which meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. There shall be individual proration factors for each categorical entitlement provided for in this subsection, and each proration factor shall be determined by annual appropriations, but no categorical proration factor shall exceed the entitlement proration factor established pursuant to subsection 1 of this section, except that the vocational education entitlement proration factor established pursuant to line 16 of subsection 6 of this section and the educational and screening program entitlements proration factor established pursuant to line 17 of subsection 6 of this section may exceed the entitlement proration factor established pursuant to subsection 1 of this section. The categorical add-on for the district shall be the sum of: seventy-five percent of the costs of adopting and providing a violence prevention program pursuant to section 161.650, RSMo, multiplied by the proration factor; seventy-five percent of the district allowable transportation costs pursuant to section 163.161 multiplied by the proration factor; the special education approved or allowed cost entitlement for the district, provided for by section 162.975, RSMo, multiplied by the proration factor; seventy-five percent of the district gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, multiplied by the proration factor; the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, multiplied by twenty percent, for a district with an operating levy in excess of two dollars and seventy-five cents per one hundred dollars assessed valuation, or twenty-two percent, otherwise times the guaranteed tax base per eligible pupil times two dollars and seventy-five cents per one hundred dollars assessed valuation times the proration factor plus the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, times thirty percent times the guaranteed tax base per eligible pupil times the following quantity: ((the greater of zero or the district's operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) times one or, beginning in the fifth year following the effective date of this section, the quotient of the district's fiscal instructional ratio of efficiency for the prior year divided by the fiscal year 1998 statewide average fiscal instructional ratio of efficiency, if the district's prior year fiscal instructional ratio of efficiency is at least five percent below the fiscal year 1998 statewide average) times the proration factor, minus court-ordered state desegregation aid received by the district for operating purposes; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515, RSMo, [multiplied by the proration factor]; the vocational education entitlement for the district, as provided for in section 167.332, RSMo, multiplied by the proration factor and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699, RSMo, times the proration factor.

4. Each district's apportionment shall be the prorated categorical add-ons plus the greater of the district's prorated entitlement minus the total deductions for the district or zero.

5. (1) In the 1993-94 school year and all subsequent school years, pursuant to section 10(c) of article X of the state constitution, a school district shall adjust upward its operating levy for school purposes to the extent necessary for the district to at least maintain the current operating expenditures per pupil received by the district from all sources in

the 1992-93 school year, except that its operating levy for school purposes shall not exceed the highest tax rate in effect subsequent to the 1980 tax year, or the minimum rate required by subsection 2 of section 163.021, whichever is less.

(2) The revenue per eligible pupil received by a district from the following sources: line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, plus line 14 of subsection 6 of this section, shall not be less than the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 per eligible pupil that exceeds the line 14 per pupil amount from the 1997-98 school year, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14(a) per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount, whichever is greater. The department of elementary and secondary education shall make an addition in the payment amount of line 19 of subsection 6 of this section to assure compliance with the provisions contained in this section.

(3) For any school district which meets the eligibility criteria for state aid as established in section 163.021, but which under subsections 1 to 4 of this section, receives no state aid for two successive school years, other than categorical add-ons, by August first following the second such school year, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, RSMo. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school district related to the authority of the state board of education to classify school districts pursuant to section 161.092, RSMo, and such other rules as determined by the commissioner of education, except that such waivers shall not include the provisions established pursuant to sections 160.514 and 160.518, RSMo.

(4) In the 1993-94 school year and each school year thereafter for two years, those districts which are entitled to receive state aid under subsections 1 to 4 of this section, shall receive state aid in an amount per eligible pupil as provided in this subsection. For the 1993-94 school year, the amount per eligible pupil shall be twenty-five percent of the amount of state aid per eligible pupil calculated for the district for the 1993-94 school year pursuant to subsections 1 to 4 of this section plus seventy-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1993-94 school year pursuant to subsections 1 to 4 of this section. For the 1994-95 school year, the amount per eligible pupil shall be fifty percent of the amount of state aid per eligible pupil calculated for the district for the 1994-95 school year pursuant to subsections 1 to 4 of this section plus fifty percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1994-95 school year pursuant to subsections 1 to 4 of this section. For the 1995-96 school year, the amount of state aid per eligible pupil shall be seventy-five percent of the amount of state aid per eligible pupil calculated for the district for the 1995-96 school year pursuant to subsections 1 to 4 of this section plus twenty-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1995-96 school year pursuant to subsections 1 to 4 of this section. Nothing in this subdivision shall be construed to limit the authority of a school district to raise its district operating levy pursuant to subdivision (1) of this subsection.

(5) If the total of state aid apportionments to all districts pursuant to subdivision (3) of this subsection is less than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then the difference shall be deposited in the outstanding schools trust fund. If the total of state aid apportionments to all districts pursuant to subdivision (1) of this subsection is greater than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then funds shall be transferred from the outstanding schools trust fund to the state school moneys fund to the extent necessary to fund the district entitlements as modified by subdivision (4) of this subsection for that school year with a district entitlement proration factor no less than one and such transfer shall be given priority over all other uses for the outstanding schools trust fund as otherwise provided by law.

6. State aid shall be determined as follows:

District Entitlement

- 1(a). Number of eligible pupils x (lesser of district's equalized operating levy for school purposes or two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP) \$.....
- 1(b). Number of eligible pupils x (greater of: 0, or district's equalized operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) x (proration x GTB per EP) \$.....

Deductions

2. District equalized assessed valuation x district income factor x district's equalized operating levy for school purposes plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year \$.....
3. Intangible taxes, fines, forfeitures, escheats, payments in lieu of taxes, etc. (100% of the amount received the previous year for school purposes) \$.....
4. Receipts from state assessed railroad and utility tax (100% of the amount received the previous year for school purposes) \$.....
5. Receipts from federal properties pursuant to sections 12.070 and 12.080, RSMo (100% of the amount received the previous year for school purposes) \$.....
6. (Federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less \$50,000) x 90% or the maximum percentage allowed by federal regulations if less than 90% \$.....
7. Fifty percent or the percentage otherwise provided in section 163.087 of Proposition C receipts from the school district trust fund received the previous year for school purposes pursuant to section 163.087 \$.....
8. One hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo \$.....
9. One hundred percent of the amount received the previous year for school purposes from the free textbook fund pursuant to section 148.360, RSMo \$.....
10. Total deductions (sum of lines 2-9) \$.....

Categorical Add-ons

11. The amount distributed pursuant to section 163.161 x proration \$.....
12. Special education approved or allowed cost entitlement for the district pursuant to section 162.975, RSMo, x proration \$.....
13. Seventy-five percent of the gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, x proration \$.....
- 14(a). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011, x .20, if operating levy in excess of \$2.75, or .22, otherwise x GTB per EP x \$2.75 per \$100 AV x proration \$.....
- 14(b). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011 x .30 x GTB x ((the greater of zero or the district's adjusted operating levy minus \$2.75 per \$100 AV) x (1.0 or, beginning in the fifth year following the effective date of this section, the district's FIRE for the prior year/statewide average FIRE for FY 1998, if the district's prior year FIRE is at least five percent below the FY 1998 statewide average FIRE) x proration) - court-ordered state desegregation aid received by the district for operating purposes \$.....
15. Career ladder entitlement for the district as provided for in sections 168.500 to 168.515, RSMo[, x proration] \$.....
16. Vocational education entitlements for the district as provided in section 167.332, RSMo, x proration \$.....
17. Educational and screening program entitlements for the district as provided in sections 178.691 to 178.699, RSMo, x proration \$.....
18. Sum of categorical add-ons for the district (sum of lines 11-17) \$.....
19. District apportionment (line 18 plus the greater of line 1 minus line 10 or zero) \$.....

7. Revenue received for school purposes by each school district pursuant to this section shall be placed in each of the incidental and teachers' funds based on the ratio of the property tax rate in the district for that fund to the total tax rate in the district for the two funds.

8. In addition to the penalty for line 14 described in subsection 6 of this section, beginning in school year 2004-05, any increase in a school district's funds received pursuant to line 14 of subsection 6 of this section over the 1997-98 school year shall be reduced by one percent for each full percentage point the percentage of the district's pupils scoring at or above five percent below the statewide average level on either mathematics or reading is less than sixty-five percent.

9. If a school district's annual audit discloses that students were inappropriately identified as eligible for free or reduced-price lunch and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of line 14 aid paid on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of the line 14 aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid."; and

Further amend said bill, Page 3, Section 168.126, Line 49, by inserting after all of said line the following:

"168.515. 1. Each teacher selected to participate in a career plan established under sections 168.500 to 168.515, who meets the requirements of such plan, shall receive a salary supplement, the state's share of which shall be distributed under section 163.031, RSMo, equal to the following amounts [multiplied by the proration factor applied to the career ladder entitlement of line 15 of subsection 6 of section 163.031, RSMo]:

- (1) Career stage I teachers may receive up to an additional one thousand five hundred dollars per school year;
- (2) Career stage II teachers may receive up to an additional three thousand dollars per school year;
- (3) Career stage III teachers may receive up to an additional five thousand dollars per school year.

All teachers within each stage within the same school district shall receive equal salary supplements.

2. The state shall make payments pursuant to section 163.031, RSMo, to the local school district for the purpose of reimbursing the local school district for the payment of any salary supplements provided for in this section, subject to the availability of funds as appropriated each year and distributed on a variable match formula which shall be based on equalized assessed valuation of the district for the second preceding school year. A district's equalized assessed valuation shall be multiplied by the district income factor defined in section 163.011, RSMo, and shall be known as the adjusted equalized assessed valuation.

3. In distributing these matching funds, school districts shall be ranked by the adjusted equalized assessed valuation for the second preceding school year per eligible pupil from the highest to the lowest and divided into three groups. Group one shall contain the highest twenty-five percent of all public school districts, groups two and three combined shall contain the remaining seventy-five percent of all public school districts. The districts in groups two and three shall be rank ordered from largest to smallest based on enrollment as of the last Wednesday in September during the second preceding school year, group two shall contain twenty-five percent of all public school districts that are larger on the enrollment based rank ordered list and group three shall contain the remaining fifty percent of all public school districts. Pursuant to subsection 4 of this section, districts in group one shall receive forty percent state funding and shall contribute sixty percent local funding, group two shall receive fifty percent state funding and shall contribute fifty percent local funding and group three shall receive sixty percent state funding and shall contribute forty percent local funding.

4. The incremental groups are as follows:

Group	Percentage of Districts	Percentage of State Funding	Percentage of Local Funding
1	25%	40%	60%
2	25%	50%	50%
3	50%	60%	40%

5. Beginning in the 1996-97 school year, any school district in any group which participated in the career ladder program in 1995-96 and paid less than the local funding percentage required by subsection 4 of this section shall increase its local share of career ladder costs by five percentage points from the preceding year until the district pays the percentage share of cost required by subsection 4 of this section, and in no case shall the local funding percentage be increased by a greater amount for any year. For any district, the state payment shall not exceed the local payment times the state percentage share divided by the local percentage share. Any district not participating in the 1995-96 school year or any district which interrupts its career ladder program for any subsequent year shall enter the program on the cost-sharing basis required by subsection 4 of this section.

6. Not less than every fourth year, beginning with calendar year 1988, the general assembly, through the joint committee established under section 160.254, RSMo, shall review the amount of the career pay provided for in this section to determine if any increases are necessary to reflect the increases in the cost of living which have occurred since the salary supplements were last reviewed or set.

7. To participate in the salary supplement program established under this section, a school district may submit to the voters of the district a proposition to increase taxes for this purpose. If a school district's current tax rate ceiling is at or above the rate from which an increase would require a two-thirds majority, the school board may submit to the voters of the district a proposition to reduce or eliminate the amount of the levy reduction resulting from section 164.013, RSMo. If a majority of the voters voting thereon vote in favor of the proposition, the board may certify that seventy-five percent of the revenue generated from this source shall be used to implement the salary supplement program established under this section.

8. In no case shall a school district use state funds received under this section nor local revenue generated from a tax established under subsection 7 of this section to comply with the minimum salary requirements for teachers established pursuant to section 163.172, RSMo.

9. Beginning in the 1996-97 school year, for any teacher who participated in the career program in the 1995-96 school year, continues to participate in the program thereafter, and remains qualified to receive career pay pursuant to section 168.510, the state's share of the teacher's salary supplement shall continue to be the percentage paid by the state in the 1995-96 school year, notwithstanding any provisions of subsection 4 of this section to the contrary, and the state shall continue to pay such percentage of the teacher's salary supplement until any of the following occurs:

- (1) The teacher ceases his or her participation in the program; or
- (2) The teacher suspends his or her participation in the program for any school year after the 1995-96 school year. If the teacher later resumes participation in the program, the state funding shall be subject to the provisions of subsection 4 of this section."; and

Further amend said bill, Page 5, Section 302.272, Line 66, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to aid school finances the repeal and reenactment of sections 163.031 and 168.515 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 163.031 and 168.515 of section A of this act shall be in full force and effect on July 1, 2004, or upon its passage and approval, whichever later occurs."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lager, **House Amendment No. 2** was adopted.

Representative Sanders Brooks offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1041, Page 1, Section 167.166, Line 1, by inserting after the word "**employee**" the following: "**or volunteer**"; and

Further amend said page and section, Line 3, by inserting after the word "**employee**" the following: "**or volunteer**"; and

Further amend said page and section, Line 4, by inserting immediately after the words "**fellow student**" the following:

"**; however, such searches may be conducted by, or under the authority of, a commissioned law enforcement officer or if an emergency condition exists**"; and

Further amend Page 2, Section 167.166, Line 9, by inserting at the end of said line, the following:

"**If an employee is not entitled to such evidentiary hearing, the employee shall be suspended pending completion of due process.**".

On motion of Representative Sanders Brooks, **House Amendment No. 3** was adopted.

Representative Mayer offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1041, Page 2, Section 168.110, Line 18, by inserting after all of said line the following:

“168.124.1. The board of education of a school district may place on leave of absence as many teachers as may be necessary because of a decrease in pupil enrollment, school district reorganization or the financial condition of the school district. In placing teachers on leave, the board of education shall be governed by the following provisions:

(1) No permanent teacher shall be placed on leave of absence while probationary teachers are retained in positions for which a permanent teacher is qualified;

(2) Permanent teachers shall be retained on the basis of performance-based evaluations and seniority (however, seniority shall not be controlling) within the field of specialization;

(3) Permanent teachers shall be reinstated to the positions from which they have been given leaves of absence, or if not available, to positions requiring like training and experience, or to other positions in the school system for which they are qualified by training and experience;

(4) No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies;

(5) A teacher placed on leave of absence may engage in teaching or another occupation during the period of such leave;

(6) The leave of absence shall not impair the tenure of a teacher;

(7) The leave of absence shall continue for a period of not more than three years unless extended by the board.

2. If a school district has an unrestricted combined ending fund balance of more than ten percent of current expenditures in its teachers' and incidental funds, and in the subsequent fiscal year such district, because of state appropriations, places a contracted teacher on leave of absence after forty days subsequent to the governor signing the elementary and secondary education appropriation bill, the district shall pay the affected teacher the greater of his or her salary for any days worked under the contract or a sum equal to three thousand dollars.

3. If a school district reduces staff due to financial considerations, the school district shall solely follow the procedures provided in this section.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Mayer, **House Amendment No. 4** was adopted.

Representative Hobbs offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1041, Page 2, Section 167.166, Line 9, by inserting after all of said line the following:

“168.081. [After September 1, 1988,] No person without a valid Missouri certificate shall:

(1) Engage in the practice of teaching or the performance of education duties in [grades kindergarten through] **prekindergarten through grade** twelve in any public school in the state;

(2) Act as a school administrator in any public school district, unless such person obtains a temporary administrator certificate pursuant to section 168.083.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Riback Wilson (25) offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1041, Page 1, Section 168.081, Line 6, by adding after the word “state,” the following:

“provided, however, that prekindergarten teachers may have a four-year degree from an accredited institution of higher education in either early childhood education or child development.”.

Representative Riback Wilson (25) moved that **House Amendment No. 1 to House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Hobbs moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

HCS HB 1041, as amended, was laid over.

COMMITTEE REPORT

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **HB 1380**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Harris (23) is no longer a member of the Health Care Policy Committee.

Representative Muckler has been appointed a member of the Health Care Policy Committee.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, February 12, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 17, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session. CANCELLED

Public hearing to be held on: HB 1176

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 12, 2004, 8:00 a.m. Hearing Room 7.

Public Defender, General Assembly, Office of the Governor and Office of the Lt. Governor.

CORRECTED NOTICE

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 16, 2004, 12:00 p.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.

Public testimony. Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 12, 2004, Hearing Room 6 upon morning adjournment.

Departments of Public Safety and Corrections. Department presentations.

Review Governor's recommendations.

BUDGET

Thursday, February 12, 2004, 8:00 a.m. Hearing Room 3.

CANCELLED

Executive session will be held on: HB 1014

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 12, 2004, South side gallery of House Chamber upon morning adjournment.

Executive session will be held on: HB 1215, HB 1055, HB 1094

JOINT COMMITTEE ON CORRECTIONS

Thursday, February 19, 2004, 8:30 a.m. Hearing Room 5.

Regular business meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration,

Division of Facilities Management, State leasing practices. Any other business.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Friday, February 13, 2004, 8:30 a.m. Senate Lounge.

JOINT INTERIM COMMITTEE ON EDUCATION

Thursday, February 12, 2004, 12:00 p.m. Senate Committee Room 2.

Final report of committee.

LOCAL GOVERNMENT

Thursday, February 12, 2004, 8:30 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 1128, HB 1162, HB 1166, HB 975

SENIOR SECURITY

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1230, HB 1302

SMALL BUSINESS

Wednesday, February 18, 2004, Hearing Room 4 at noon or upon adjournment.

Public hearing to be held on: HB 1286

TOURISM AND CULTURAL AFFAIRS

Thursday, February 19, 2004, 9:00 a.m. House Lounge.

Joint committee meeting with the Senate Economic Development,

Tourism and Local Government Committee.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 12, 2004

HOUSE BILLS FOR SECOND READING

HB 1460 through HB 1471

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 1268 & 1211 - Smith (118)
- 5 HCS HB 978 - Baker (123)
- 6 HCS HB 1380 - Lager (4)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HCS HB 1040, E.C. - Cunningham (86)

HOUSE BILL FOR THIRD READING - CONSENT

HB 994 - Cunningham (145)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 12, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

(This prayer is attributed to Abraham Lincoln. Let it be our prayer this morning.)

God bless our native land; firm may she ever stand through storm and night; when the wild tempests rave, O Ruler of wind and wave, Thou Who art strong to save, be Thou her might!

For her our prayer shall be, our father's God, to Thee, on whom we wait; be her walls, holiness - her rulers righteousness, in all her homes be peace, God save the state!

Not for this land alone, but be God's mercies shown from shore to shore and may the nations see that men should brothers be, and form one family the wide-world o'er. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as corrected by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Lowe	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall

Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 004

Boykins	Donnelly	Sager	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Carnahan	Haywood	Lawson	Luetkemeyer
Stevenson	Sutherland			

HOUSE RESOLUTION

Representative Wilson (42) offered House Resolution No. 564.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 504	
through	
House Resolution No. 506	- Representative Miller
House Resolution No. 507	
through	
House Resolution No. 558	- Representative Avery
House Resolution No. 559	- Representative Hanaway
House Resolution No. 560	- Representative Lipke
House Resolution No. 561	- Representative Bearden
House Resolution No. 562	- Representative Kratky
House Resolution No. 563	- Representative Sander
House Resolution No. 565	- Representative Bough
House Resolution No. 566	- Representatives May and Hampton
House Resolution No. 567	- Representative Hunter
House Resolution No. 568	- Representative Fares
House Resolution No. 569	- Representative Lager
House Resolution No. 570	- Representative Taylor
House Resolution No. 571	- Representatives Taylor and Goodman

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1472, introduced by Representatives Lowe and Townley, relating to renewable energy resources.

HB 1473, introduced by Representative Skaggs, relating to transportation safety.

HB 1474, introduced by Representatives Abel, George, Wagner, Lowe, Walsh, Davis (122), Walker, Henke, Villa, Selby, Seigfreid, Corcoran, Hilgemann, Wildberger, Skaggs, Dougherty, Spreng, McKenna, Green, LeVota, Carnahan, Liese, Salva, Kratky, Bringer, Swinger, Barnitz, Ward, Darrough, Moore, Meiners, Donnelly, Riback Wilson (25), Yaeger, Harris (110), Witte, Sanders Brooks, Daus, Johnson (90), Jones, Hoskins, Hubbard, Campbell, Burnett, Zweifel, Bland, Whorton, Curls, Muckler, Vogt, Schoemehl, Young, Wilson (42), Kuessner, Ransdall, Shoemyer, Willoughby, Page, Haywood, Johnson (61), Jolly, Kelly (36), Fraser, Hampton, Bishop and Meadows, relating to state purchasing.

HB 1475, introduced by Representatives Schneider, Johnson (47), Hubbard, Ruestman, Quinn, Schaaf, Lipke, Reinhart, Wood, Engler, Moore, Bearden, Dusenberg, Hunter, Wallace, Schlottach, Bean, King, Stevenson, Dempsey, Morris, Roark, Wilson (130), Behnen, Goodman, Stefanick, Icet, Jackson, Angst, Pearce, Graham, Shoemyer, Smith (14), Parker, Cooper (155), Dixon, Villa, Salva, Bland, Thompson, Davis (19), Jones, Liese, Hampton, El-Amin and Jolly, relating to sewerage services.

HB 1476, introduced by Representative Richard, relating to a sales tax for economic development purposes.

HB 1477, introduced by Representatives Schaaf, Page, Cooper (155), Bean, Ruestman, Bivins, Shoemaker, Holand, Threlkeld, Jetton, Kingery, Bough, Moore, Yates and Dusenberg, relating to the Missouri hospital infection control act of 2004.

HB 1478, introduced by Representatives Ruestman, Hunter and Wilson (130), relating to the prevailing wage.

HB 1479, introduced by Representatives Icet, Portwood, Stefanick, Cunningham (86), Lembke, Bivins, Dixon, Hanaway, Dempsey, Purgason, Jackson, Parker, Crawford, Taylor, Mayer, Stevenson, Dusenberg, St. Onge, Nieves and Kelly (36), relating to police officer residency requirements.

HB 1480, introduced by Representatives Rupp, Smith (14), Kelly (36), Lembke, Bruns, Dempsey, Johnson (90), Kelly (144), Threlkeld, Nieves, Rector, Hobbs, Dusenberg, Portwood, Pratt, Stevenson, Dixon, Bean, Jetton, Stefanick, Selby, Hampton, Wagner, Seigfreid, Jolly, Hilgemann, George, Muckler, Vogt, Spreng, Carnahan, Davis (122), Lowe, Campbell, Barnitz, Green, Zweifel, Darrough, Corcoran, Skaggs, Liese, Walsh, Bishop, Henke, Swinger, McKenna, Graham, Meiners, Kuessner, Abel, Ransdall, Bringer, Sager and Schneider, relating to law enforcement officers.

HB 1481, introduced by Representatives Sager, Harris (23), Carnahan, Jolly, Meiners, Kuessner, Young, LeVota, Burnett, Wildberger, Sanders Brooks, Yaeger, Kratky, Jetton and Wilson (42), relating to adoption awareness.

HB 1482, introduced by Representatives Portwood, Jetton, Hanaway, Crowell, Icet, Threlkeld, Wright and Dempsey, relating to police officer residency requirements.

HB 1483, introduced by Representatives Haywood, Sanders Brooks, Johnson (61), Walton, Wilson (42), El-Amin, Boykins, Jones, Hoskins and Thompson, relating to the use of credit scoring for insurance purposes.

HB 1484, introduced by Representatives Smith (118), Lipke, Dixon, Crowell, Schlottach, Stevenson and Bishop, relating to township planning and zoning.

HB 1485, introduced by Representatives Smith (118), Lipke, Dixon, Crowell, Schlottach, Stevenson and Bishop, relating to local planning.

SECOND READING OF HOUSE BILLS

HB 1460 through **HB 1471** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 27 - Conservation and Natural Resources

HJR 29 - Elections

HJR 31 - Transportation and Motor Vehicles

HJR 32 - Budget

HJR 37 - Elections

HJR 44 - Education

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 800 - Senior Security

HB 867 - Crime Prevention and Public Safety

HB 1045 - Local Government

HB 1090 - Financial Services

HB 1097 - Special Committee on Urban Issues

HB 1116 - Job Creation and Economic Development

HB 1118 - Transportation and Motor Vehicles

HB 1122 - Transportation and Motor Vehicles

HB 1125 - Budget

HB 1175 - Small Business
HB 1184 - Local Government
HB 1191 - Education
HB 1192 - Agriculture
HB 1223 - Financial Services
HB 1225 - Local Government
HB 1226 - Homeland Security and Veterans Affairs
HB 1227 - Job Creation and Economic Development
HB 1234 - Communications, Energy and Technology
HB 1238 - Agriculture
HB 1248 - Local Government
HB 1249 - Elections
HB 1291 - Financial Services
HB 1307 - Health Care Policy
HB 1315 - Education
HB 1329 - Crime Prevention and Public Safety
HB 1330 - Crime Prevention and Public Safety
HB 1331 - Education
HB 1334 - Professional Registration and Licensing
HB 1339 - Children and Families
HB 1347 - Special Committee on General Laws
HB 1354 - Judiciary
HB 1355 - Judiciary
HB 1356 - Retirement
HB 1357 - Retirement
HB 1364 - Judiciary
HB 1366 - Transportation and Motor Vehicles
HB 1371 - Senior Security
HB 1376 - Crime Prevention and Public Safety
HB 1377 - Local Government
HB 1381 - Homeland Security and Veterans Affairs
HB 1382 - Tax Policy
HB 1383 - Conservation and Natural Resources
HB 1384 - Judiciary
HB 1396 - Transportation and Motor Vehicles
HB 1398 - Local Government
HB 1401 - Transportation and Motor Vehicles
HB 1402 - Special Committee on General Laws
HB 1403 - Crime Prevention and Public Safety
HB 1404 - Judiciary
HB 1405 - Transportation and Motor Vehicles
HB 1406 - Education
HB 1407 - Local Government
HB 1408 - Transportation and Motor Vehicles
HB 1409 - Job Creation and Economic Development

HB 1411 - Special Committee on General Laws
HB 1420 - Tax Policy
HB 1421 - Job Creation and Economic Development
HB 1426 - Job Creation and Economic Development
HB 1433 - Conservation and Natural Resources
HB 1434 - Senior Security
HB 1435 - Tax Policy
HB 1436 - Crime Prevention and Public Safety
HB 1439 - Transportation and Motor Vehicles
HB 1442 - Transportation and Motor Vehicles
HB 1444 - Corrections and State Institutions
HB 1451 - Education
HB 1452 - Education
HB 1453 - Children and Families
HB 1454 - Local Government
HB 1460 - Judiciary
HB 1461 - Judiciary
HB 1462 - Local Government

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SS SCR 26 - Agriculture

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 739 - Agriculture
SCS SB 758 - Tax Policy
SCS SB 767 - Transportation and Motor Vehicles
SB 769 - Local Government
SB 770 - Transportation and Motor Vehicles
SCS SB 782 - Local Government
SCS SB 789 - Local Government
SB 932 - Workforce Development and Workplace Safety
SCS SBs 942, 850 & 841 - Local Government
SCS SB 1006 - Transportation and Motor Vehicles
SB 1028 - Budget

WITHDRAWAL OF HOUSE BILL

February 12, 2004

Stephen S. Davis
Chief Clerk
House of Representatives
Jefferson City, Missouri 65101

Dear Stephen:

I would like to request that **House Bill 1351** be withdrawn.

Thank you for your consideration in this matter.

Sincerely,

/s/ Danie Moore

The following member's presence was noted: Lawson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, February 16, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Amber Boykins, District 60, hereby state and affirm that my vote as recorded on Pages 296, 297 and 301 of the House Journal for Wednesday, February 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of February 2004.

/s/ Amber Boykins
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Page 297 of the House Journal for Wednesday, February 11, 2004 showing that I voted absent with leave was incorrectly recorded.

Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of February 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Hampton, District 147, hereby state and affirm that my vote as recorded on Page 301 of the House Journal for Wednesday, February 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of February 2004.

/s/ Mark Hampton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 17, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1176

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 4.

Mark up for the Department of Natural Resources.

Hearing may continue at 2:30 p.m. or upon afternoon adjournment.

APPROPRIATIONS - EDUCATION

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 1.

Mark up will be held on: HB 1002

APPROPRIATIONS - EDUCATION

Wednesday, February 18, 2004, 3:00 p.m. Hearing Room 1.

Mark up on HB 1002 continued and possible mark up on HB 1003.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 16, 2004, 2:00 p.m. Hearing Room 7.

Office of Administration, Office of the State Treasurer and Office of the Attorney General.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 17, 2004, 8:30 a.m. Hearing Room 7.

Office of Administration, Office of the State Treasurer and Office of the Attorney General.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 16, 2004, 12:00 p.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.

Public testimony. Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 16, 2004, 12:00 p.m. Hearing Room 6.

Mark up for the Departments of Labor, Insurance, Transportation, and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 5.

Mark up for the Departments of Labor, Insurance, Transportation, and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 18, 2004, 3:00 p.m. Hearing Room 5.

Mark up for the Departments of Labor, Insurance, Transportation, and Economic Development.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, February 17, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1156, HB 1171, HB 766

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 17, 2004, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1059, HB 918, HB 1311, HB 1387, HB 1388, HB 1243

ELECTIONS

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 900, HB 1150, HB 1039

Executive session will be held on: HB 949, HB 962

ETHICS

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 4.

MO Forest Products Caucus, Dairy Caucus and Forming Arts Caucus.

Executive session may follow.

FINANCIAL SERVICES

Tuesday, February 17, 2004, 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 936, HB 938, HB 1159, HB 990

Executive session will be held on: HB 1198

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 957, HB 1152

JOINT COMMITTEE ON CORRECTIONS

Thursday, February 19, 2004, 8:30 a.m. Hearing Room 5.

Regular business meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration,

Division of Facilities Management, State leasing practices. Any other business.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Friday, February 13, 2004, 8:30 a.m. Senate Lounge.

LOCAL GOVERNMENT

Thursday, February 19, 2004, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 975, HB 880, HB 843, HB 1042, HB 947

SENIOR SECURITY

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1230, HB 1302

SMALL BUSINESS

Wednesday, February 18, 2004, Hearing Room 4, noon or upon adjournment.

Public hearing to be held on: HB 1286

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 4.

Executive session possible.

Public hearings to be held on: HB 1363, HB 1193

TAX POLICY

Tuesday, February 17, 2004, Hearing Room 7, 12:00 p.m. or upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1267, HB 1343, HB 1235, HB 1308

TOURISM AND CULTURAL AFFAIRS

Thursday, February 19, 2004, 9:00 a.m. House Lounge.

Joint committee meeting with the Senate Economic Development, Tourism and Local Government Committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 16, 2004, House Chamber South Side Gallery upon afternoon adjournment.

Executive session.

HOUSE CALENDAR

TWENTY-SECOND DAY, MONDAY, FEBRUARY 16, 2004

HOUSE BILLS FOR SECOND READING

HB 1472 through HB 1485

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 1268 & 1211 - Smith (118)
- 5 HCS HB 978 - Baker (123)
- 6 HCS HB 1380 - Lager (4)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HCS HB 1040, E.C. - Cunningham (86)

HOUSE BILL FOR THIRD READING - CONSENT

HB 994 - Cunningham (145)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 16, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we honor Your Word which says, "Those who control their anger have great understanding; those with a hasty temper will make mistakes." We ask for a calm and undisturbed mind and heart that we may be able to judge rightly information set before us, listen intently to discussions on the floor, and calmly make decisions based on sound principles.

But first, we would be negligent, if we did not thank You for allowing us to enjoy the beauty of family, life, health and liberty. Help us to remember the simple things in life that we may appreciate even more the privilege of serving one another.

Whatever the present need, trial, or struggle might be, You are the One who governs cycles and seasons. Our seasons are in Your hands.

May Your grace be sufficient for all we do.

In the name of Your Son we pray. Amen.

Representative Dixon introduced the Springfield Central High School Choir who performed "The Star-Spangled Banner" and "God Bless America" in honor of Presidents' Day.

The Pledge of Allegiance to the flag was recited.

Representative Davis (19) assumed the Chair.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Stephanie Dusek, Andrew Carnahan, Austin Carnahan, Becca Lamprich, Connor Grumich, Lea Munzlinger, Andrew Weingart, Colin Schulte, Katie Phillips and Andrew Phillips.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks

Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Lembke

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 572 - Representative Goodman
House Resolution No. 573
and
House Resolution No. 574 - Representative Brown
House Resolution No. 575 - Representative Dusenberg
House Resolution No. 576
through
House Resolution No. 581 - Representative Crowell
House Resolution No. 582 - Representative Fares
House Resolution No. 583 - Representative Darrough
House Resolution No. 584
and
House Resolution No. 585 - Representative Townley

House Resolution No. 586 - Representative Swinger
House Resolution No. 587 - Representative Goodman

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1486, introduced by Representatives Fraser, Riback Wilson (25), Donnelly, Walker, Bishop, Wilson (42), Hilgemann and Campbell, relating to licensure of homes for children.

HB 1487, introduced by Representative Self, relating to kidnapping of a child.

HB 1488, introduced by Representatives Wagner and Ward, relating to employee salaries within the Missouri department of transportation.

HB 1489, introduced by Representatives Barnitz, Purgason, Shoemyer, Dethrow, Kuessner, Schlottach, Ward and Angst, relating to operation of all-terrain vehicles.

HB 1490, introduced by Representatives Mayer and Bishop, relating to misuse of a power of attorney.

HB 1491, introduced by Representatives Burnett and LeVota, relating to search warrants.

HB 1492, introduced by Representatives Henke, Dougherty, Hampton, Selby, Kuessner, Swinger, Harris (110), Witte, Ransdall, Seigfreid, Davis (122), Lawson, Shoemyer, Bringer, Ward and Barnitz, relating to tobacco settlement moneys.

HB 1493, introduced by Representatives Emery, Donnelly, Bough, Wilson (130), George and Miller, relating to electric territorial agreements.

SECOND READING OF HOUSE BILLS

HB 1472 through **HB 1485** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1380, relating to a career ladder for teachers, was taken up by Representative Lager.

HCS HB 1380 was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1040 - Budget (Fiscal Note)

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 34**.

SENATE CONCURRENT RESOLUTION NO. 34

WHEREAS, Missouri's Rehabilitation Services for the Blind is housed within the Department of Social Services; and

WHEREAS, Rehabilitation Services for the Blind is in place to create opportunities for eligible blind and visually impaired persons so that they may attain personal and vocational success; and

WHEREAS, the services provided by Rehabilitation Services for the Blind (RSB) assist people with varying degrees of visual impairment, ranging from those who cannot read regular print to those who are totally blind and serve a vital role for those persons seeking its services; and

WHEREAS, changing the status of Rehabilitation Services for the Blind from one of many "programs" within the Department of Social Services to its own division is necessary:

- (1) Because the number of eligible blind and visually-impaired person increases substantially each year; and
- (2) To ensure that Rehabilitation Services for the Blind continues to provide the most efficient and beneficial services to eligible blind and visually-impaired persons; and
- (3) To ensure that the new director of the Division of Rehabilitation Services for the Blind can maintain better control of the services provided and can continue to receive the appropriate funding from the state of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby request the Governor to authorize by Executive Order the transfer of all duties, functions and responsibilities of Rehabilitation Services for the Blind from "program" status within the Department of Social Services and thereby creating the Division of Rehabilitation Services for the Blind which will raise its level of distinction within the Department; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 980**, entitled:

An act to repeal sections 21.770, 28.085, 28.163, 30.900, 31.010, 32.051, 32.380, 33.571, 37.090, 42.160, 58.755, 72.424, 82.460, 94.580, 103.081, 105.268, 115.177, 128.345, 128.346, 128.350, 128.352, 128.354, 128.356, 128.358, 128.360, 128.362, 128.364, 128.366, 135.095, 137.423, 140.015, 143.107, 143.122, 143.1010, 143.1011, 143.1012, 144.030, 144.036, 144.041, 152.032, 160.300, 160.302, 160.304, 160.306, 160.308, 160.310, 160.312, 160.314, 160.316, 160.318, 160.320, 160.322, 160.324, 160.326, 160.328, 160.550, 161.205, 161.655, 163.025, 169.710, 171.033, 173.710, 173.715, 173.718, 173.721, 178.630, 191.938, 192.255, 197.305, 197.312, 197.314, 197.317, 197.318, 197.345, 197.355, 197.366, 198.014, 198.540, 205.380, 205.390, 205.400, 205.410, 205.420, 205.430, 205.440, 205.450, 208.177, 208.307, 210.879, 210.930, 215.050, 253.022, 253.230, 277.200, 277.201, 277.202, 277.206, 277.209, 277.212, 277.215, 292.260, 292.270, 292.280, 292.290, 292.500, 313.300, 313.301, 319.022, 351.025, 354.065, 376.530, 376.550, 388.650, 391.010, 391.020, 391.030, 391.040, 391.050, 391.060, 391.070, 391.080, 391.090, 391.100, 391.110, 391.120, 391.130, 391.140, 391.150, 391.160, 391.170, 391.180, 391.190, 391.230, 391.240, 391.250, 391.260, 400.9-629, 415.430, 417.066, 442.050, 516.060, 516.065, 537.040, 600.094, 620.528, 620.1310, 632.484, and 644.102, RSMo, and to enact in lieu thereof fifteen new sections for the sole purpose

of repealing certain expired, sunset, terminated, and ineffective statutory provisions as identified by the joint committee on legislative research pursuant to section 23.205, RSMo.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILLS

February 10, 2004

The Honorable Catherine Hanaway
Speaker of the House
State Capitol
Jefferson City, MO 65101

Dear Speaker Hanaway:

I hereby respectfully request that **House Bill 1308** be withdrawn from consideration. Your attention to this matter is appreciated.

Sincerely,

Representative Curt Dougherty
District 53

DATE: February 16, 2004
TO: Steve Davis, Chief Clerk, Missouri House of Representatives
FROM: Representative Bill Deeken, District 114
SUBJECT: Request to Withdraw House Bill 1431

I am requesting that **House Bill 1431** be withdrawn. This bill does not express the content for which I had intended. Should you have any questions or need additional information, please let me know.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, February 17, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 17, 2004, 12:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearing to be held on: HB 1176

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 4.

Mark up for the Department of Natural Resources.

Hearing may continue at 2:30 p.m. or upon afternoon adjournment.

APPROPRIATIONS - EDUCATION

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 1.

Mark up will be held on: HB 1002

APPROPRIATIONS - EDUCATION

Wednesday, February 18, 2004, 3:00 p.m. Hearing Room 1.

Mark up on HB 1002 continued and possible mark up on HB 1003.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 17, 2004, 8:30 a.m. Hearing Room 7.

Office of Administration, Office of the State Treasurer and Office of the Attorney General.

CANCELLED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.

Public testimony. Departments of Health, Mental Health, and Social Services. **CANCELLED**

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 2:30 p.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Public testimony. **AMENDED**

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 17, 2004, 8:00 a.m. Hearing Room 5.

Mark up for the Departments of Labor, Insurance, Transportation, and Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 18, 2004, 3:00 p.m. Hearing Room 5.

Mark up for the Departments of Labor, Insurance, Transportation, and Economic Development.

BUDGET

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.

Fiscal Review on HB 1040.

Executive session will be held on: HB 1014

CHILDREN AND FAMILIES

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1453

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, February 17, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1156, HB 1171, HB 766

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 18, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1276, HJR 35, HB 1209, HJR 27

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 17, 2004, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1059, HB 918, HB 1311, HB 1387, HB 1388, HB 1243

ELECTIONS

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 900, HB 1150, HB 1039

Executive session will be held on: HB 949, HB 962

ETHICS

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 4.

MO Forest Products Caucus, Dairy Caucus and Forming Arts Caucus.

Executive session may follow.

FINANCIAL SERVICES

Tuesday, February 17, 2004, 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 936, HB 938, HB 1159, HB 990

Executive session will be held on: HB 1198

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 957, HB 1152

JOINT COMMITTEE ON CORRECTIONS

Thursday, February 19, 2004, 8:30 a.m. Hearing Room 5.

Regular business meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration,

Division of Facilities Management, State leasing practices. Any other business.

LOCAL GOVERNMENT

Thursday, February 19, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 975, HB 880, HB 843, HB 1042, HB 947, HB 1047, HB 1275

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 17, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 985, HB 1224, HB 1246, HB 905

Executive session may be held on: HB 955, HB 1195, HB 998

SENIOR SECURITY

Tuesday, February 17, 2004, 5:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1302, HB 1371

SMALL BUSINESS

Wednesday, February 18, 2004, Hearing Room 4, noon or upon adjournment.

Public hearing to be held on: HB 1286

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 4.

Executive session possible.

Public hearings to be held on: HB 1363, HB 1193

TAX POLICY

Tuesday, February 17, 2004, Hearing Room 7, 12:00 p.m. or upon morning adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1267, HB 1343, HB 1235

TOURISM AND CULTURAL AFFAIRS

Tuesday, February 17, 2004, 12:00 p.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 1056, HB 1194

TOURISM AND CULTURAL AFFAIRS

Thursday, February 19, 2004, 9:00 a.m. House Lounge.

Joint committee meeting with the Senate Economic Development, Tourism and Local Government Committee.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 18, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1080, HB 770, HB 1109, HB 883,

HB 1317, HB 1118, HB 1142, HB 1259, HB 1288, HB 1439

Executive session may be held on: HB 912, HB 826, HB 1029, HB 1167,

HB 1114, HB 937, HB 1108

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 17, 2004

HOUSE BILLS FOR SECOND READING

HB 1486 through HB 1493

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 1268 & 1211 - Smith (118)
- 5 HCS HB 978 - Baker (123)
- 6 HCS HB 1380 - Lager (4)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HCS HB 1040, (Budget 2-16-04), E.C. - Cunningham (86)

HOUSE BILL FOR THIRD READING - CONSENT

HB 994 - Cunningham (145)

SENATE BILL FOR SECOND READING

SCS SB 980

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 17, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend Donald W. Lammers.

Holy God, Almighty Father of all humankind, the rally yesterday demanded that our attention turn to resources for the education of children and youth. From other directions we are shown the need to form children in other basic values that they might become trustworthy and productive citizens. And some children do not have parents able to nurture them, and these become wards of the State, demanding and deserving our special care.

About our children, we remember Your word given to us in a proverb: Train children in the way they should go, and even when they are old, they will not swerve from it. (Proverbs 22:6).

Dear God, whatever the agenda we work on today, guide us to be sensitive to its effects upon children and youth. When the time comes for making decisions that affect the well being of children and youth, give us the understanding to know what is best for their education and their healthy formation and growth. May Your Holy Spirit stir in us a truly parental attitude and concern for those children who are in the custody and care of the State.

We pray to You, who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Laura Portwood.

The Journal of the twenty-second day was approved as printed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard

Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Bough

The Missouri State Future Farmers of America officers were introduced by Representative Quinn.

Ms. Gina Eckler, President of the Missouri State Future Farmers of America, addressed the House.

Representative Wilson (119) assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 588 - Representative Pratt
- House Resolution No. 589
- and
- House Resolution No. 590 - Representative Schoemehl, et al
- House Resolution No. 591 - Representative Parker
- House Resolution No. 592 - Representative Wilson (42)
- House Resolution No. 593
- and
- House Resolution No. 594 - Representative Schneider
- House Resolution No. 595 - Representative Mayer

House Resolution No. 596
through
House Resolution No. 602 - Representative Lager

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1494, introduced by Representative Ervin, relating to boards of directors for regional recreational districts.

HB 1495, introduced by Representatives Bland, Fraser, Walker, Riback Wilson (25), Hilgemann, Selby, Sager, Thompson, Hoskins and Jones, relating to certain health care benefits.

SECOND READING OF HOUSE BILLS

HB 1486 through **HB 1493** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 980 was read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 1268 & 1211, relating to employees, was taken up by Representative Smith (118).

Representative Smith (118) offered **HS HCS HBs 1268 & 1211**.

Representative Morris offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Pages 30 and 31, Section 288.050, Lines 7 to 24, and 1 to 10, by deleting all of said lines and inserting in lieu thereof the following:

"2. [Notwithstanding the other provisions of this law,] If a deputy finds that a claimant has been discharged for misconduct connected with the claimant's work, such claimant[, depending upon the seriousness of the misconduct as determined by the deputy according to the circumstances in each case,] shall be disqualified for waiting week credit or benefits [for not less than four nor more than sixteen weeks for which the claimant claims benefits and is otherwise eligible], **and no benefits shall be paid nor shall the cost of any benefits be charged against any employer for any period of employment within the base period until the claimant has earned wages for work insured under the unemployment laws of this state or any other state as prescribed in this section.** In addition to the disqualification for benefits pursuant to this provision the division may in the more aggravated cases of misconduct, cancel all or any part of the individual's wage credits, which were established through the individual's employment by the employer who discharged such individual, according to the seriousness of the misconduct. A disqualification provided for pursuant to this subsection shall not apply to any week which occurs after the claimant has earned wages for work insured pursuant to the unemployment compensation laws of any state in an amount equal to eight times the claimant's weekly benefit amount. **Should a claimant be disqualified on a second or subsequent occasion within the base period or subsequent to the base period the claimant shall be required to earn wages in an amount equal to or in excess of**

eight times the claimant's weekly benefit amount for each disqualification, such additionally required wages shall run consecutively. For the purpose of this chapter, a professionally administered and documented positive chemical test result for a controlled substance as defined under section 195.010, RSMo, or for blood alcohol content of eight-hundredths of one percent or more by weight of alcohol in the claimant's blood shall be deemed misconduct connected with work. The employer shall have notified the employee of the employer's controlled substance and alcohol workplace policy by conspicuously posting the policy in the workplace, by including the policy in an employee handbook, or by a statement of such policy in a collective bargaining agreement governing employment of the employee. The policy shall state that a positive test result shall be deemed misconduct and may result in suspension or termination of employment. Use of a controlled substance as defined under section 195.010, RSMo, under, and in conformity with the lawful order of a healthcare practitioner shall not be deemed to be misconduct connected with work for the purposes of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Jetton resumed the Chair.

Representative Wilson (119) resumed the Chair.

HCS HBs 1268 & 1211, with House Amendment No. 1 and HS, pending, was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 624.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 603	-	Representative Sander
House Resolution No. 604		
and		
House Resolution No. 605	-	Representative Wilson (119)
House Resolution No. 606	-	Representative Reinhart
House Resolution No. 607	-	Representative Townley
House Resolution No. 608	-	Representative Moore
House Resolution No. 609	-	Representative Nieves
House Resolution No. 610		
through		
House Resolution No. 623	-	Representative Lembke
House Resolution No. 625		
through		
House Resolution No. 634	-	Representative Crowell
House Resolution No. 635	-	Representative Fraser

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1496, introduced by Representatives Bean, Wallace, Kingery, King, May, Mayer, Cooper (155), Cunningham (86), Stevenson, Bough, Schlottach, Dethrow, Guest, Byrd, Schaaf, Icet, Ruestman, Reinhart, Roark, Viebrock, Nieves, Emery, Phillips, Sander, Wood, Hobbs, Kelly (144), Angst, Wasson and Bearden, relating to the prevailing wage.

HB 1497, introduced by Representatives Pearce, Seigfreid, Bean, Davis (122), Deeken, Luetkemeyer, Walker, Jolly, Myers and Walsh, relating to customer call centers.

HB 1498, introduced by Representatives Schneider, Hubbard, Johnson (47), Parker, Icet, Deeken, Bearden, Schaaf, Smith (14), Cooper (155), Dixon, Bivins, Villa, Thompson, Salva, Bland, Barnitz, Yates, Muckler, Bringer, Page, Lawson, Davis (122), Zweifel, Spreng, Bishop, Brown, Hunter, Ruestman, Wallace, Hobbs, Myers, Engler, Nieves, Sutherland, Dusenberg, Kelly (144), Jackson, Phillips, Emery, Wood, Cunningham (145), Angst, Mayer and Stevenson, relating to A+ school reimbursements.

HB 1499, introduced by Representatives Ransdall, Henke, Kuessner, Witte, Swinger and Sager, relating to medical benefits for certain department of transportation and highway patrol retirees.

HB 1500, introduced by Representatives Mayer, Lipke, Behnen, Black, Kingery, Bean, and Kelly (36), relating to court costs.

HB 1501, introduced by Representative Bruns, relating to the vocational enterprises program.

HB 1502, introduced by Representatives Wilson (42), Young, Burnett, Curls, Bland, Sager, Walker, Campbell, Lowe and Haywood, relating to school employee retirement.

HB 1503, introduced by Representatives Ervin, Pearce, Richard, Dempsey, Black, Baker, Reinhart, Wildberger, Munzlinger and Page, relating to business use incentives.

HB 1504, introduced by Representatives Lipke and Crowell, relating to the assessment of damages for the restriction or loss of access to highways when eminent domain is exercised.

HB 1505, introduced by Representative Lembke, relating to the statute of limitations for certain sexual offenses.

PERFECTION OF HOUSE BILL

HCS HBs 1268 & 1211, with House Amendment No. 1 and HS, pending, relating to employees, was again taken up by Representative Smith (118).

Representative Wilson (119) resumed the Chair.

Representative Purgason assumed the Chair.

On motion of Representative Morris, **House Amendment No. 1** was adopted by the following vote:

AYES: 108

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Black	Bough	Bringer
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Crowell	Cunningham 145	Cunningham 86	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hampton	Harris 110	Harris 23	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	Kelly 36	King	Kingery
Kuessner	Lager	Lembke	LeVota	Lipke
Luetkemeyer	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Viebrock	Wallace	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Witte	Wood
Wright	Yates	Young		

NOES: 045

Abel	Bland	Brooks	Burnett	Campbell
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Graham	Green
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kratky
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Spreng	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Wildberger	Wilson 25	Wilson 42	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bivins	Boykins	Carnahan	Crawford
Dougherty	Lawson	Marsh	Townley	Madam Speaker

Representative El-Amin requested a verification of the roll call on the motion to adopt **House Amendment No. 1**.

Representative St. Onge offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Page 65, Line 23, by inserting after all of said line the following:

"Section 1. 1. There is hereby created a Missouri State Unemployment Council ("the council"). The council shall consist of nine appointed voting members and two appointed nonvoting members. All appointees shall be persons whose training and experience qualify them to deal with the difficult problems of unemployment compensation, particularly legal, accounting, actuarial, economic, and social aspects of unemployment compensation.

(1) Three voting members shall be appointed to the council by the governor. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation.

(2) Three voting members and one nonvoting member shall be appointed to the council by the speaker of the house of representatives. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers that employ twenty or less employees. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the house of representatives.

(3) Three voting members and one nonvoting member shall be appointed to the council by the president pro tem of the senate. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the senate.

2. The council shall organize itself and select a chairperson or co-chairpersons and other officers from the nine voting members. Six voting members shall constitute a quorum and the council shall act only upon the affirmative vote of at least five of the voting members. The council shall meet no less than four times yearly. Members of the council shall serve without compensation, but are to be reimbursed the amount of actual expenses. Actual expenses shall be paid from the special employment security fund under section 288.310.

3. The division shall provide professional and clerical assistance as needed for regularly scheduled meetings.

4. Each nonvoting member shall serve for a term of four years or until he or she is no longer a member of the general assembly whichever occurs first. A nonvoting member's term shall be a maximum of four years. Each voting member shall serve for a term of three years. For the initial appointment, the governor-appointed employer representative, the speaker of the house-appointed employee representative, and the president pro tem of the senate-appointed public interest representative shall serve an initial term of one year. For the initial appointment, the governor-appointed employee representative, the speaker of the house-appointed public interest representative, and the president pro tem of the senate-appointed employer representative shall serve an initial term of two years. At the end of a voting member's term he or she may be reappointed; however, he or she shall serve no more than two terms excluding the initial term for a maximum of eight years.

5. The council shall advise the division in carrying out the purposes of this chapter. The council shall submit annually by January fifteenth to the governor and the general assembly its recommendations regarding amendments of this chapter, the status of unemployment insurance, the projected maintenance of the solvency of unemployment insurance, and the adequacy of unemployment compensation.

6. The council shall present to the division every proposal of the council for changes in this chapter and shall seek the division's concurrence with the proposal. The division shall give careful consideration to every proposal submitted by the council for legislative or administrative action and shall review each legislative proposal for possible incorporation into department of labor and industrial relations recommendations.

7. The council shall have access to only the records of the division that are necessary for the administration of this chapter and to the reasonable services of the employees of the division. It may request the director or any of the employees appointed by the director or any employee subject to this chapter, to appear

before it and to testify relative to the functioning of this chapter and to other relevant matters. The council may conduct research of its own, make and publish reports, and recommend to the division needed changes in this chapter or in the rules of the division as it considers necessary.

8. The council, unless prohibited by a concurrent resolution of the general assembly, shall be authorized to commission an outside study of the solvency, adequacy, and staffing and operational efficiency of the Missouri unemployment system. The study shall be conducted every five years, the first being conducted in fiscal year 2005. The study shall be funded subject to appropriation from the special employment security fund under section 288.310."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wilson (119) resumed the Chair.

On motion of Representative St. Onge, **House Amendment No. 2** was adopted.

Representative Portwood offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Page 65, Section 288.295, Line 23, by inserting after said line the following:

"Section 1. The department of labor and industrial relations may contract with a private entity for the purpose of identifying and recovering overpayments to employees and collection of delinquent employer contributions."; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 3** was adopted.

Representative Phillips offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Section 288.050.1.(1), Page 27, Line 9, following the word "worked;" by deleting the word "or"; and

Further amend House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Section 288.050.1.(1), Page 27, Line 21, following the word "paragraph;" by inserting the following:

"or

(e) If the deputy finds the claimant quit such work due to such claimant reasonably fearing for his or her physical health and safety by reason of domestic violence. The claimant shall be required to demonstrate continued employment places the claimant in immediate danger of further violence and that he or she:

(1) does not reside with the alleged abuser, and

(2) has filed for and received an ex parte, temporary or permanent order of protection against the alleged abuser, or

(3) has filed with the appropriate police jurisdiction a report of the alleged violence."; and

Further amend title and enacting clause accordingly.

On motion of Representative Phillips, **House Amendment No. 4** was adopted.

Representative Smith (118) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Pages 14 and 15, Section 288.036, Lines 3 to 24 and 1 to 10, by deleting all of said lines and inserting in lieu thereof the following:

"2. The increases or decreases to the state taxable wage base for calendar year [1999] **2005**, and each calendar year thereafter, shall be determined by the provisions within this subsection. **On January 1, 2005**, the state taxable wage base for calendar year [1999, and] **2005 shall be eleven thousand dollars for the balance of the calendar year. The state taxable wage base** for each calendar year thereafter[,] shall be determined by the preceding September thirtieth balance of the unemployment compensation trust fund, less any outstanding federal Title XII advances received pursuant to section 288.330, **or if the fund is not utilizing moneys advanced by the federal government, then less the principal, interest, and administrative expenses related to bonds issued under section 288.330, or the principal, interest, and administrative expenses related to financial agreements under subdivision (17) of subsection 2 of section 288.330, or the principal, interest, and administrative expenses related to a combination of bonds and financial agreements.** When the September thirtieth unemployment compensation trust fund balance, less any outstanding federal Title XII advances received pursuant to section 288.330, is:

(1) Less than, or equal to, three hundred **fifty** million dollars, then the wage base shall increase by [five hundred] **one thousand** dollars; or

(2) [Four] **Five** hundred [fifty] million or more, then the state taxable wage base for the subsequent calendar year shall be decreased by five hundred dollars. In no event, however, shall the state taxable wage base increase beyond [ten] **eleven** thousand [five hundred] dollars, or decrease to less than seven thousand dollars.

For any calendar year, the state taxable wage base shall not be reduced to less than that part of the remuneration which is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment compensation trust fund. **Nothing in this section shall be construed to prevent the wage base from increasing or decreasing by increments of five hundred dollars.**"; and

Further amend said bill, Pages 37 to 39, Section 288.121, Lines 20 to 24 and 1 to 23 and 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"288.121. **1.** On October first of each calendar year, if the average balance, less any federal advances, of the unemployment compensation trust fund of the four preceding quarters (September thirtieth, June thirtieth, March thirty-first and December thirty-first of the preceding calendar year) is less than four hundred **fifty** million dollars, then each employer's contribution rate calculated for the four calendar quarters of the succeeding calendar year shall be increased by the percentage determined from the following table:

Balance in Trust Fund		Percentage of Increase
Less Than	Equals or Exceeds	
[\$400,000,000] \$450,000,000	[\$350,000,000] \$400,000,000	10%
[\$350,000,000] \$400,000,000	[\$300,000,000] \$350,000,000	20%
[\$300,000,000] \$350,000,000		30%

[Notwithstanding the table in this section, each employer's contribution rate calculated for the four calendar quarters of calendar year 1994 shall be increased by forty percent, instead of thirty percent, as previously indicated in the table in this section. After the forty percent increase, each employer's contribution rate for the four calendar quarters of calendar year 1994 shall be increased by adding three-tenths of one percent.] **Beginning on January 1, 2005, and continuing until such time as the trust fund balance including any outstanding indebtedness, is greater than or equal to zero the contribution rate of any employer who is paying the maximum contribution rate of six percent shall be increased by forty percent.**

2. Effective January 1, 2005, an employer's total contribution rate shall equal the employer's base rate plus a temporary solvency charge of one-tenth of one percent added to the base rate plus the increase authorized

under subsection 1 of this section. The temporary solvency charge shall expire upon the last day of the fourth calender quarter following the effective date of this section."; and

Further amend said bill, Pages 39 to 41, Section 288.128, Lines 8 to 24 and 1 to 24 and 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"288.128. 1. In addition to all other contributions due under this chapter, if the fund is utilizing moneys advanced by the federal government under the provisions of 42 U.S.C.A., section 1321 pursuant to section 288.330[,] **or if the fund is not utilizing moneys advanced by the federal government, then from the proceeds of bonds issued under section 288.330, or from the moneys advanced under financial agreements under subdivision (17) of subsection 2 of section 288.330, or a combination of bond proceeds and moneys advanced under financial agreements** each employer shall be assessed an amount solely for the payment of interest due on such federal advancements, **or if the fund is not utilizing moneys advanced by the federal government, or in the case of issuance of bonds for the payment of the principal, interest, and administrative expenses related to such bonds, or in the case of financial agreements for the payment of principal, interest, and administrative expenses related to such financial agreements, or in the case of a combination of bonds and financial agreements for the payment of principal, interest, and administrative expenses for both.** The rate shall be determined by dividing the interest due on federal advancements **or if the fund is not utilizing moneys advanced by the federal government, then the principal, interest, and administrative expenses related to bonds, or the principal, interest, and administrative expenses related to financial agreements under subdivision (17) of subsection 2 of section 288.330, or the principal, interest, and administrative expenses related to a combination of bonds and financial agreements** by ninety-five percent of the total taxable wages paid by all Missouri employers in the preceding calendar year. Each employer's proportionate share shall be the product obtained by multiplying such employer's total taxable wages for the preceding calendar year by the rate specified in this section. Each employer shall be notified of the amount due under this section by June thirtieth of each year and such amount shall be considered delinquent thirty days thereafter. The moneys collected from each employer for the payment of interest due on federal advances **or if the fund is not utilizing moneys advanced by the federal government, then the payment of principal, interest, and administrative expenses related to bonds, or the payment of the principal, interest, and administrative expenses related to financial agreements under subdivision (17) of subsection 2 of section 288.330, or the payment of the principal, interest, and administrative expenses related to a combination of bonds and financial agreements** shall be deposited in the special employment security fund.

2. If on December thirty-first of any year the money collected under this section exceeds the amount of interest due on federal advancements by one hundred thousand dollars or more, then each employer's experience rating account shall be credited with an amount which bears the same ratio to the excess moneys collected under this section as that employer's payment collected under this section bears to the total amount collected under this section. Further, if on December thirty-first of any year the moneys collected under this section exceed the amount of interest due on the federal advancements by less than one hundred thousand dollars, the balance shall be transferred from the special employment security fund to the Secretary of the Treasury of the United States to be credited to the account of this state in the unemployment trust fund."; and

Further amend said bill, Pages 50 to 53, Section 288.310, Lines 2 to 24 and 1 to 24 and 1 to 24 and 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"288.310. 1. There is hereby created in the state treasury a special fund to be known as the "Special Employment Security Fund". All interest and penalties collected under the provisions of this law, including moneys collected pursuant to section 288.128 for the payment of interest due on federal advances received pursuant to section 288.330, **or if the fund is not utilizing moneys advanced by the federal government, then the payment of principal, interest, and administrative expenses related to bonds issued under section 288.330, or the payment of the principal, interest, and administrative expenses related to financial agreements under subdivision (17) of subsection 2 of section 288.330, or the payment of the principal, interest, and administrative expenses related to a combination of bonds and financial agreements** shall be paid into this fund. The moneys collected pursuant to section 288.128 shall be used [exclusively] for the payment of interest due on federal advances received pursuant to section 288.330, **or if the fund is not utilizing moneys advanced by the federal government, then the payment of principal, interest, and administrative expenses related to bonds issued under that section, or the payment of principal, interest, and administrative expenses related to financial agreements under subdivision (17) of**

subsection 2 of section 288.330, or the payment of the principal, interest, and administrative expenses related to a combination of bonds and financial agreements. Such moneys, except for moneys collected pursuant to section 288.128, shall not be expended or available for expenditure in any manner which would permit their substitution for, or a corresponding reduction in, federal funds which would in the absence of such money be available to finance expenditures for the administration of the employment security law, but nothing in this section shall prevent such moneys, except for moneys collected pursuant to section 288.128, from being used as a revolving fund, to cover expenditures, necessary and proper under the law, for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when received. Subject to the approval of the director of the department of labor and industrial relations, the moneys in this fund, except for moneys collected pursuant to section 288.128, shall be used by the department of labor and industrial relations for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the unemployment compensation administration fund. Such moneys, except for moneys collected pursuant to section 288.128, shall be available either to satisfy the obligations incurred by the department of labor and industrial relations for the division directly or by requesting the board of fund commissioners to transfer the required amount from the special employment security fund to the unemployment compensation administration fund. The board of fund commissioners shall upon receipt of a written request of the department of labor and industrial relations make any such transfer. No expenditures of this fund or transfer herein provided, except for moneys collected pursuant to section 288.128, shall be made unless and until the director of the department of labor and industrial relations finds that no other funds are available or can properly be used to finance such expenditures, except that as hereinafter authorized expenditures from such fund may be made for the purpose of acquiring lands and buildings, or for the erection of buildings on lands so acquired, which are deemed necessary by the director of the department of labor and industrial relations for the proper administration of this law. The director of the department of labor and industrial relations shall order the transfer of such funds or the payment of any such obligation and such funds shall be paid by the state treasurer on requisitions drawn by the director of the department of labor and industrial relations directing the state auditor to issue his or her warrant therefor. Any such warrant shall be drawn by the state auditor based upon bills of particulars and vouchers certified by an officer or employee designated by the director of the department of labor and industrial relations. Such certification shall among other things include a duly certified copy of the director of the department of labor and industrial relations' findings hereinbefore referred to. The moneys in this fund, except for moneys collected pursuant to section 288.128, are hereby specifically made available to replace, within a reasonable time, any moneys received by this state pursuant to section 302 of the Federal Social Security Act (42 U.S.C.A. Sec. 502), as amended, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of the employment security law. The moneys in this fund shall be continuously available to the director of the department of labor and industrial relations for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided."; and

Further amend said bill, Pages 54 to 64, Section 288.330, Lines 22 to 24 and 1 to 24 and 1 to 24 and 1 to 24 and 1 to 24 and 1 to 24 and 1 to 24 and 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"288.330. 1. Benefits shall be deemed to be due and payable only to the extent that moneys are available to the credit of the unemployment compensation fund and neither the state nor the division shall be liable for any amount in excess of such sums. [Neither the state of Missouri, nor any person or agency acting for it, may under any circumstance, by issuing bonds or otherwise borrow money from any source whatsoever to pay benefits hereunder, except as provided in 42 U.S.C.A. Section 1321.] The governor is authorized to apply for an advance to the state unemployment fund and to accept the responsibility for the repayment of such advance [in accordance with the conditions specified in Title XII of the Social Security Act, as amended,] in order to secure to this state and its citizens the advantages available under the provisions of [such title] **federal law. Effective January 1, 2006, in the event the fund balance including any outstanding loans or indebtedness is less than or equal to zero and the governor applies for an advance as provided in 42 U.S.C. Section 1321 or the state is required to incur other indebtedness as authorized in this chapter in order to maintain funding for the payment of benefits as authorized by this chapter, the state of Missouri shall be obligated to pay the interest incurred as a result of such advance or indebtedness.**

2. (1) **The purpose of this subsection is to provide a method of financing the replenishment of the state's unemployment compensation fund as an alternative to borrowing or obtaining advances from the federal unemployment trust fund or for refinancing those loans or advances, and to provide a method through which the**

state may continue its unemployment compensation program at the least possible cost to the state and its employers.

(2) For the purposes of this subsection, "bond" means any type of obligation issued under this section, including any bond, note, tax anticipation note or similar instrument.

(3) There is hereby created for the purposes of implementing the provisions of this subsection a body corporate and politic to be known as the "Missouri Commission on Employment Security Financing". The powers of the commission shall be vested in seven commissioners who shall be residents of this state and be appointed by the governor with the advice and consent of the senate except that the director of the division of employment security shall serve as a nonvoting ex officio member of the commission. The commission shall have all powers necessary to effectuate its purposes including without limitation the power to provide a seal, keep records of its proceedings, provide for professional services, and elect a chair from its members. Not more than four of the commissioners shall be of the same political party.

(a) The commissioners shall serve five-year terms with each term beginning July first and ending on June thirtieth, except that of the commissioners first appointed one shall be appointed for a term of two years, two shall be appointed for a term of three years, two shall be appointed for a term of four years, and two shall be appointed for a term of five years. Each commissioner appointed thereafter shall be appointed for a term ending five years from the date of expiration of the term for which his or her predecessor was appointed, except that a person appointed to fill a vacancy prior to the expiration of such a term shall be appointed for the remainder of the term. No commissioner appointed under this subsection by the governor shall serve more than two consecutive full terms. Each commissioner shall hold office for the term of his or her appointment and until his or her successor is appointed and qualified.

(b) Notwithstanding the provisions of any other law to the contrary:

a. No officer or employee of this state shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of an appointment as a commissioner to the commission or for his or her service to the commission;

b. It shall not constitute a conflict of interest for a director, officer, or employee of any financial institution, investment banking firm, brokerage firm, commercial bank or trust company, architectural firm, insurance company, or any other firm, person, or corporation, to serve as a commissioner of the commission, provided such trustee, director, officer, or employee shall abstain from deliberation, action, and vote by the commission in each instance where the business affiliation or public office association of any such trustee, director, officer, or employee is involved.

(c) Before entering into his or her duties each commissioner shall execute a surety bond in the sum of fifty thousand dollars, or in lieu thereof the chair of the commission may execute a blanket bond covering all members of the commission with each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered and to be executed by a surety company authorized to transact business in this state as a surety and to be approved by the attorney general and filed in the office of the secretary of state. The cost of each such bond shall be paid by the commission.

(d) Commissioners shall receive no compensation for the performance of their duties under this subsection, but each commissioner shall be reimbursed from the funds of the commission for his or her actual and necessary expenses incurred in carrying out his or her official duties under this subsection.

(e) In the event that any of the commissioners or officers of the commission whose signatures or facsimile signatures appear on any bonds shall cease to be commissioners or officers before the delivery of such bonds, their signatures or facsimile signatures shall be valid and sufficient for all purposes as if such commissioners or officers had remained in office until delivery of such bonds.

(f) The commissioners executing the bonds of the commission shall not be subject to any personal liability or accountability by reason of the issuance of the bonds.

(g) The commission shall following the close of each fiscal year submit an annual report of its activities for the preceding year to the governor and the general assembly. Each report shall set forth a complete operating and financial statement for the commission during the fiscal year it covers. At least once in each year an independent certified public accountant shall audit the records and accounts of the commission.

(4) The commission is authorized to issue, sell, and deliver bonds which shall mature no later than ten years after issuance in the name of the commission in an amount determined by the commission not to exceed a total of four hundred fifty million dollars of indebtedness that results in reducing or avoiding the need to borrow or obtain an advance under 42 U.S.C., Section 1321, or any similar federal legislation, or in an amount necessary to refinance any borrowing or advance previously made by the state for those purposes. The commission shall

make an affirmative finding that the issuance of bonds for the purposes established in this section results in a savings to the state and its employers.

(5) The commission shall provide for the payment of the principal of the bonds, any redemption premiums, the interest on the bonds, and the costs attributable to the bonds being issued or outstanding as provided in this subsection and in section 288.310. Unless the commission directs otherwise, the bonds shall be repaid in the same time frame and in the same amounts as would be required for loans issued pursuant to 42 U.S.C. Section 1321; however, in no case shall bond indebtedness continue beyond five consecutive years.

(6) The commission may irrevocably pledge money received from the contributions received under section 288.128 as revenue for the payment of bonds and deposited in an account created for such purpose in the special employment security fund or other money legally available to it.

(7) Bonds issued under this section shall not constitute debts of this state or of any agency, political corporation, or political subdivision of this state and are not a pledge of the faith and credit of this state or of any of those governmental entities. The bonds are payable only from revenue provided for under this chapter. The bonds shall contain a statement to the effect that:

(a) Neither the state nor any agency, political corporation, or political subdivision of the state shall be obligated to pay the principal or interest on the bonds except as provided by this section; and

(b) Neither the full faith and credit nor the taxing power of the state nor any agency, political corporation, or political subdivision of the state is pledged to the payment of the principal, premium, if any, or interest on the bonds except as provided by this section.

(8) The owner of any bonds issued under this section shall at the time of purchase agree to waive any right of recovery and forever hold harmless the state and any agency, political corporation, or political subdivision thereof. The bond owner shall agree the sole source of revenue for repayment of such bonds shall be those revenues derived from contributions received under section 288.128.

(9) The state pledges and agrees with the owners of any bonds issued under this section that the state will not limit or alter the rights vested in the commission to fulfill the terms of any agreements made with the owners or in any way impair the rights and remedies of the owners until the bonds are fully discharged except as provided by this section.

(10) The commission may provide for the flow of funds and the establishment and maintenance of separate accounts within the special employment security fund, including the interest and sinking account, the reserve account, and other necessary accounts, and may make additional covenants with respect to the bonds in the documents authorizing the issuance of bonds including refunding bonds. The resolutions authorizing the issuance of bonds may also prohibit the further issuance of bonds or other obligations payable from appropriated moneys or may reserve the right to issue additional bonds to be payable from appropriated moneys on a parity with or subordinate to the lien and pledge in support of the bonds being issued and may contain other provisions and covenants as determined by the commission.

(11) The commission may issue bonds to refund all or any part of the outstanding bonds issued under this section including matured but unpaid interest.

(12) The bonds issued by the commission, any transaction relating to the bonds, and profits made from the sale of the bonds are free from taxation by the state or by any municipality, court, special district, or other political subdivision of the state.

(13) As determined necessary by the commission the proceeds of the bonds less the cost of issuance shall be placed in the state's unemployment compensation fund and may be used for the purposes for which that fund may otherwise be used. If those net proceeds are not placed immediately in the unemployment compensation fund they shall be held in the special employment security fund in an account designated for that purpose until they are transferred to the unemployment compensation fund.

(14) The commission may enter into any contract or agreement deemed necessary or desirable to effectuate cost effective financing hereunder. Such agreements may include credit enhancement, credit support, or interest rate agreements. Any fees or costs associated with such agreements shall be deemed administrative expenses for the purposes of calculating assessments relating to payment of the principal, interest, and administrative expenses related to bonds pursuant to the provisions of section 288.128.

(15) To the extent this section conflicts with other laws the provisions of this section prevail. This section shall not be subject to the provisions of sections 23.250 to 23.298, RSMo.

(16) If the United States Secretary of Labor holds that a provision of this subsection does not conform with a federal statute or would result in the loss to the state of any federal funds otherwise available to it the

commission may administer this subsection to conform with the federal statute until the general assembly meets in its next regular session and has an opportunity to amend this subsection.

(17) (a) As used in this subdivision the term "lender" means any state or national bank.

(b) The commission is authorized to enter financial agreements with any lender that result in reducing or avoiding the need to borrow or obtain an advance under 42 U.S.C., Section 1321, or any similar federal legislation. The total amount of the outstanding obligation under the agreement shall not exceed the difference of four hundred fifty million dollars and the bond indebtedness incurred under this subsection. In no instance shall such indebtedness under any financial agreement continue for more than five consecutive years. Repayment of obligations to lenders shall be made from the special employment security fund, section 288.310.

3. In event of the suspension of this law, any unobligated funds in the unemployment compensation fund, and returned by the United States Treasurer because such Federal Social Security Act is inoperative, shall be held in custody by the treasurer and under supervision of the division until the legislature shall provide for the disposition thereof. In event no disposition is made by the legislature at the next regular meeting subsequent to suspension of said law, then all unobligated funds shall be returned ratably to those who contributed thereto."; and

Further amend said bill, Page 65, Section 288.385, Line 13, by inserting after all of said line the following:

"4. The department of labor and industrial relations by and through the division may analyze and project financial data for proposed legislation. In doing so the department and the division shall provide any financial data, projections, or models relating to pending legislation to the sponsor or sponsors of such legislation at least forty-eight hours prior to making such information public. Failure to comply with this subsection shall result in a five hundred dollar civil penalty per violation levied against the agent or employee of the department or division responsible for such violation."; and

Further amend said bill, Page 65, Section 288.395, Lines 14 to 23, by deleting all of said lines and inserting in lieu thereof the following:

"288.395. Any person or entity perpetrating a fraud or misrepresentation under this chapter for which a penalty has not herein been specifically provided, shall be guilty of a class A misdemeanor and, in addition, shall be liable to this state for a civil penalty not to exceed double the value of the fraud. Any person or entity who has previously pled guilty to or has been found guilty of perpetrating a fraud or misrepresentation under this chapter and who subsequently violated any such provisions shall be guilty of a class D felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Behnen assumed the Chair.

On motion of Representative Smith (118), **House Amendment No. 5** was adopted.

Representative Angst offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Page 65, Line 23, by inserting after all of said line the following:

"288.397. The division shall send on or before September 30, 2004, to all employing units a report containing a summary of changes enacted in this act including but not limited to changes in the tax rate, contribution rate, taxable wage base, temporary solvency charges, benefit or eligibility charges, and other pertinent information to enable the employing units to comply with the changes made."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Angst, **House Amendment No. 6** was adopted.

Representative El-Amin offered **House Amendment No. 7**.

Representative Goodman raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

Representative Behnen requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS HBs 1268 & 1211, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 732**, entitled:

An act to repeal sections 67.1706 and 67.1754, RSMo, and to enact in lieu thereof two new sections relating to the duties of the metropolitan park and recreation system.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 1000**, entitled:

An act to repeal sections 650.050, 650.052, 650.055, and 650.100, RSMo, and to enact in lieu thereof five new sections relating to a DNA profiling system, with penalty provisions and an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1144, 919 & 874**, entitled:

An act to repeal sections 301.141, 301.142, 301.143, and 302.181, RSMo, and to enact in lieu thereof five new sections relating to the operation of motor vehicles, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 17, 2004

TO: Steve Davis, Chief Clerk
Mo. House of Representatives

FROM: Representative Therese Sander
District 22

SUBJECT: Request to withdraw HB 1260

I am requesting that **House Bill 1260** be withdrawn. Thank you for your consideration.

Sincerely,

/s/ Rep. Therese Sander

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, February 18, 2004.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 18, 2004, 3:00 p.m. Hearing Room 4.

Mark up for the Department of Natural Resources.

APPROPRIATIONS - EDUCATION

Wednesday, February 18, 2004, 3:00 p.m. Hearing Room 1.

Mark up on HB 1002 continued and possible mark up on HB 1003.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 18, 2004, 2:45 p.m. Hearing Room 7.

Mark up will be held on: HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 7.

Mark up will be held on: HB 1012, HB 1001

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.

Public testimony. Departments of Health, Mental Health, and Social Services. CANCELLED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 18, 2004, 2:30 p.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Public testimony. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 23, 2004, 2:00 p.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 25, 2004, 8:00 a.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 26, 2004, Hearing Room 6 upon morning adjournment.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 18, 2004, 2:00 p.m. Hearing Room 5.

Mark up for the Department Transportation . AMENDED

BUDGET

Wednesday, February 18, 2004, 8:00 a.m. Hearing Room 3.

Fiscal Review on HB 1040.

Executive session will be held on: HB 1014

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 18, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1276, HJR 35, HB 1209, HJR 27

CORRECTIONS AND STATE INSTITUTIONS

Wednesday, February 18, 2004, Hearing Room 7, upon evening adjournment or 5:00 p.m.

Public hearings to be held on: HB 896, HB 1271, HCR 14

EDUCATION

Wednesday, February 18, 2004, 5:00 p.m. Hearing Room 3.

Executive session.

Public hearings to be held on: HB 1102

HEALTH CARE POLICY

Wednesday, February 18, 2004, 5:00 p.m. Hearing Room 6.

AMENDED

Public hearings to be held on: HB 914, HB 1136, HB 1000

Executive session will be held on: HB 852, SCS SB 1003, HB 1174, HB 809

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 18, 2004, 2:00 p.m. Hearing Room 2.

Public hearings to be held on: HB 1409, HB 1116, HB 1272

JOINT COMMITTEE ON CORRECTIONS

Thursday, February 19, 2004, 8:30 a.m. Hearing Room 5.

Regular business meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration,

Division of Facilities Management, State leasing practices. Any other business.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Wednesday, February 18, 2004, 9:00 a.m. Hearing Room 6.

Discussion of timeline and potential topics for future meetings.

JUDICIARY

Wednesday, February 18, 2004, 3:00 p.m. Hearing Room 6.

Executive session on other bills may follow.

Public hearings to be held on: HB 1065, HB 1066, HB 1115,

HB 1146, HB 1364, HB 1404, HB 1312

Executive session will be held on: HB 1305

LOCAL GOVERNMENT

Thursday, February 19, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 975, HB 880, HB 843, HB 1042, HB 947, HB 1047, HB 1275

SMALL BUSINESS

Wednesday, February 18, 2004, Hearing Room 4, noon or upon adjournment.

Public hearing to be held on: HB 1286

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 4.

Executive session possible. AMENDED

Public hearings to be held on: HB 1363, HB 1193, HB 1072

TOURISM AND CULTURAL AFFAIRS

Thursday, February 19, 2004, 9:00 a.m. House Lounge.

Joint committee meeting with the Senate Economic Development, Tourism and Local Government Committee.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 18, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1080, HB 770, HB 1109, HB 883,

HB 1317, HB 1118, HB 1142, HB 1259, HB 1288, HB 1439

Executive session may be held on: HB 912, HB 826, HB 1029, HB 1167,

HB 1114, HB 937, HB 1108

HOUSE CALENDAR

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 18, 2004

HOUSE BILLS FOR SECOND READING

HB 1494 through HB 1505

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 1268 & 1211, HS, as amended, pending - Smith (118)
- 5 HCS HB 978 - Baker (123)
- 6 HCS HB 1380 - Lager (4)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HCS HB 1040, (Budget 2-16-04), E.C. - Cunningham (86)

HOUSE BILL FOR THIRD READING - CONSENT

HB 994 - Cunningham (145)

SENATE BILLS FOR SECOND READING

- 1 SS SB 732
- 2 SS SB 1000
- 3 SCS SBs 1144, 919 & 874

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 18, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we yield to Your Word, which declares, "Commit your work to the Lord, and then your plans will succeed." So we roll our work upon You assuring success in all we do.

Heavenly Father, we are overwhelmed by the abundance of mercy and grace which You have so generously lavished upon us and all that concerns us. So we continue in Your mercy and grace as we seek resolution to the issues that separate us.

Give us insight beyond our years, understanding beyond our intellect and skill beyond our natural ability.

Now may Your grace rest and abide with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andrew Davis, Katy Wilkerson, Brady Higgins, Paige Moore, Jessica Jones, Kristen Wikel, Jason Meredith, Tiara Brown, Jenny Belline, Samuel Miller, Joshua Miller, Jordan Winfrey, Rose Graham, Billie Hicks, Nick Dyl, Chelsea Pugh, Matt Deisher, Roy Leighton, Caleb Lewis, Delaney Mattox, Blake Mitchell, Kaitlyn Skaggs, Joshua Greaser, Brook Strop, Jimmy Walker, Macenzie Schoenfelt, Tim Jordan, Bryan Oldham, Brenda Neil, Patti Fagan, Kallie Hilsabeck, Catie Holden, Emma Claybrook, Michael Swanson and Samantha Stout.

Representative Ervin assumed the Chair.

The Journal of the twenty-third day was approved as printed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86

Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bivins	Bruns	Cooper 155	Lawson
McKenna	Parker	Rector	Reinhart	Wilson 25
Young				

HOUSE RESOLUTION

Representatives Bringer and Goodman offered House Resolution No. 650.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 636	-	Representative Dethrow
House Resolution No. 637	-	Representative Ransdall
House Resolution No. 638	-	Representative Emery
House Resolution No. 639	-	Representative Henke
House Resolution No. 640	-	Representative Hanaway
House Resolution No. 641		
and		
House Resolution No. 642	-	Representative Muckler
House Resolution No. 643		
through		
House Resolution No. 649	-	Representative Crowell

House Resolution No. 651 - Representative Willoughby
House Resolution No. 652 - Representative Bean

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1506, introduced by Representative Reinhart, relating to eligibility for in-state tuition at Missouri institutions of higher education.

HB 1507, introduced by Representatives Myers, Moore, Bean, Quinn, Schneider and Hobbs, relating to certain records and documents submitted to the department of agriculture.

HB 1508, introduced by Representative Baker, relating to Kansas City Chiefs' license plates.

HB 1509, introduced by Representative Portwood, relating to health benefits for chiropractic care.

HB 1510, introduced by Representatives Meadows, Carnahan, Zweifel, Selby, Harris (110), Darrough and Sager, relating to property insurance.

HB 1511, introduced by Representative Byrd, relating to trust and estate administration.

SECOND READING OF HOUSE BILLS

HB 1494 through **HB 1505** were read the second time.

SECOND READING OF SENATE BILLS

SS SB 732, **SS SB 1000** and **SCS SBs 1144, 919 & 874** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 1268 & 1211, with HS, as amended, pending, relating to employees, was taken up by Representative Smith (118).

Representative Darrough offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Page 15, Section 238.038, Line 20, by deleting the word “fifty” and inserting in lieu thereof the words “**seventy-five**”; and

Further amend said section, Lines 21 and 22, by deleting the words “two hundred fifty-five” and inserting in lieu thereof the words “**three hundred five**”; and

Further amend said section, Lines 22 and 23, by deleting the words “two hundred sixty” and inserting in lieu thereof the words “**three hundred forty**”.

Representative Lipke offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Section 288.038, Page 15, Lines 21 through 22, by deleting the words “two hundred fifty-five dollars” and inserting in lieu thereof the words “**two hundred fifty-seven dollars**”; and

Further amend said page, Lines 22 through 23, by deleting the words “two hundred sixty dollars” and inserting in lieu thereof the words “**two hundred sixty-five dollars**”.

Representative Hobbs offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute Amendment No. 1 for House Amendment No. 8 to House Committee Substitute for House Bill Nos. 1268 & 1211, Page 1, Line 3, by deleting the words “two hundred fifty-seven dollars” and inserting in lieu thereof the words “**two hundred sixty dollars**”; and

Further amend said page, Line 5, by deleting the words “two hundred sixty-five dollars” and inserting in lieu thereof the words “**two hundred seventy dollars**”.

Representative Henke raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8** is not properly drafted.

Representative Ervin requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

HCS HBs 1268 & 1211, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8, House Substitute Amendment No. 1 for House Amendment No. 8, House Amendment No. 8 and HS, as amended, pending, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 10 - Agriculture

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1487 - Crime Prevention and Public Safety

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 1040** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

The following members' presence was noted: Bruns, Cooper (155), Lawson and Reinhart.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, February 19, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HB 1192, SB 739

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 7.
Mark up will be held on: HB 1012, HB 1001

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services. Public testimony. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 23, 2004, 2:00 p.m. Hearing Room 6.
Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 6.
Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 25, 2004, 8:00 a.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 26, 2004, Hearing Room 6 upon morning adjournment.

Mark up Department of Public Safety and the Department of Corrections.

JOINT COMMITTEE ON CORRECTIONS

Thursday, February 19, 2004, 8:30 a.m. Hearing Room 5.

Regular business meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration,

Division of Facilities Management, State leasing practices. Any other business.

LOCAL GOVERNMENT

Thursday, February 19, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 975, HB 880, HB 843, HB 1042, HB 947, HB 1047, HB 1275

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, February 19, 2004, 8:00 a.m. Hearing Room 4.

Executive session possible. AMENDED

Public hearings to be held on: HB 1363, HB 1193, HB 1072

TOURISM AND CULTURAL AFFAIRS

Thursday, February 19, 2004, 9:00 a.m. House Lounge.

Joint committee meeting with the Senate Economic Development,

Tourism and Local Government Committee.

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 19, 2004

HOUSE BILLS FOR SECOND READING

HB 1506 through HB 1511

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 1268 & 1211, HA 1 to HSA 1 for HA 8, HSA 1 for HA 8, HA 8 and HS,
as amended, pending - Smith (118)
- 5 HCS HB 978 - Baker (123)
- 6 HCS HB 1380 - Lager (4)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HCS HB 1040, E.C. - Cunningham (86)

HOUSE BILL FOR THIRD READING - CONSENT

HB 994 - Cunningham (145)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 19, 2004

The House met pursuant to adjournment.

Representative Richard in the Chair.

Prayer by Reverend Donald W. Lammers.

O Lord, our God, we praise You for the warming of the air, the melting of ice and snow, and the peering of sunlight through the clouds. Through these You promise the new life and the freshening of springtime.

Early springtime finds this assembly participating in the seeking of financial resources and allocating them justly. Bless us with clarity of vision, so that we might be able to see what is just, what is fair, what is equitable. Bless us with the integrity always to work for liberty and justice for all.

We pray for the ability to avoid the trap of allowing situations in which the rich get richer and the poor get poorer. Help us to do our part to establish policy and develop laws that make it possible for the working poor to work their way out of poverty.

We thank You, O Lord, for the trust that both You and the people have placed in us.

We praise You, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Titus Folks, Kyle Lorenz, Savanah Beck and Hannah Lewnczuk.

The Journal of the twenty-fourth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 653	-	Representative Villa
House Resolution No. 654	-	Representative Salva
House Resolution No. 655	-	Representative Shoemaker
House Resolution No. 656		
and		
House Resolution No. 657	-	Representative Lager
House Resolution No. 658	-	Representatives Lembke and Yaeger

House Resolution No. 659

through

House Resolution No. 666	-	Representative Swinger
House Resolution No. 667	-	Representative Guest
House Resolution No. 668	-	Representative Young
House Resolution No. 669	-	Representative Nieves
House Resolution No. 670	-	Representative Sander
House Resolution No. 671	-	Representative Sanders Brooks, et al
House Resolution No. 672	-	Representative Smith (14)
House Resolution No. 673	-	Representative Sanders Brooks, et al
House Resolution No. 674	-	Representative Boykins, et al
House Resolution No. 675	-	Representatives Carnahan and Jones
House Resolution No. 676	-	Representative Harris (110)

HOUSE CONCURRENT RESOLUTIONS

Representative Harris (110), et al, offered House Concurrent Resolution No. 25.

Representative Harris (110), et al, offered House Concurrent Resolution No. 26.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 24, introduced by Representatives Crowell, Quinn, Dusenberg, Dougherty, Richard, Baker, Sander, Myers, Phillips, Icet, Stefanick, Jetton and Moore, relating to the designation of February sixth of each year as "Ronald Reagan Day" in Missouri.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1512, introduced by Representatives Crowell, Ruestman and Myers, relating to assistant adjutants general.

HB 1513, introduced by Representatives Crowell, Dusenberg, Baker, Sander, Emery, Ruestman, Myers, Phillips, Icet and Stefanick, relating to college and university diplomas.

HB 1514, introduced by Representative Taylor, relating to cigarette sales.

HB 1515, introduced by Representatives Wright and Dixon, relating to sexual offenses.

HB 1516, introduced by Representatives Kelly (144), Barnitz, Jetton and Portwood, relating to providing intoxicating liquor to a minor.

HB 1517, introduced by Representatives Lembke, Haywood, Corcoran, Moore, Lowe, May, Schoemehl, Walton, Fraser, Fares, Guest, Dusenbergh, Baker, Thompson, Wallace, Bivins, Behnen, Ervin, Parker, Shoemaker, Wilson (130), Davis (122), Swinger, Harris (23), Page, Wilson (42) and Young, relating to school discipline.

HB 1518, introduced by Representative Skaggs, relating to state employee retirement.

HB 1519, introduced by Representatives Holand, Villa and Shoemaker, relating to equal opportunity education contract program.

HB 1520, introduced by Representatives Shoemaker, Sander, Shoemyer, Bringer, Wallace, Kingery and King, relating to business signs.

HB 1521, introduced by Representatives Hilgemann, Donnelly, Fraser, Sager, Hubbard, Boykins, Sanders Brooks, Riback Wilson (25), Lowe, Walker, Graham, Daus, Dougherty, Jones, McKenna, Campbell, Thompson, Walsh, Harris (23), Curls, Villa, Wagner, Ward, Zweifel, Burnett, Hoskins, Wilson (42), Walton, Haywood, Bland, Bishop, Carnahan and Johnson (61), relating to human rights.

HB 1522, introduced by Representatives Page, Schaaf, Threlkeld, Thompson, Hubbard and Dougherty, relating to surgical comanagement arrangements.

HB 1523, introduced by Representative Purgason, relating to noxious weed designations.

HB 1524, introduced by Representative Ransdall, relating to transient guest taxes.

HB 1525, introduced by Representatives Meadows, Darrough, Carnahan, Zweifel, Selby, Harris (110), Yaeger, Sager, Pearce and Smith (14), relating to failure to stop for a school bus.

HB 1526, introduced by Representatives Muckler, Kelly (36), Salva, Harris (110) and Schoemehl, relating to health care for pregnant women, mothers, and children.

HB 1527, introduced by Representatives Ruestman, Stevenson, Reinhart, Stefanick, King, Harris (110), Hunter, Wallace, Schneider, Parker, Moore, Luetkemeyer and Bean, relating to licensing of physical therapists and physical therapist assistants.

HB 1528, introduced by Representative Luetkemeyer, relating to automobile insurance.

HB 1529, introduced by Representative Lembke, relating to tax increment financing.

HB 1530, introduced by Representative Bringer, relating to detention on arrest without warrant.

HB 1531, introduced by Representative Bringer, relating to nursing home districts.

HB 1532, introduced by Representatives Bringer, Jones, Witte, Henke, Ransdall, Shoemyer and Wallace, relating to economic development through community schools fund.

HB 1533, introduced by Representative Liese, relating to logging licensing.

HB 1534, introduced by Representatives Donnelly, Hilgemann, Schoemehl, Johnson (47), George, Spreng, Zweifel, Vogt, Muckler, Daus, Fraser, Corcoran, Hoskins, Bishop, Darrough, Walsh, Walker, Yaeger and Liese, relating to senior citizen homestead deferral of taxes.

HB 1535, introduced by Representatives Donnelly, Byrd, Stevenson, Mayer, Witte, Pratt, Vogt, Bishop, Bringer and Burnett, relating to dissolution of marriage.

HB 1536, introduced by Representatives Schlottach, Goodman, Lipke, Myers and Witte, relating to solid waste management.

HB 1537, introduced by Representatives Graham and Harris (23), relating to revenues for higher education.

HB 1538, introduced by Representatives Dixon, Harris (110), Bough, Wood, Morris, Roark, Selby and Dougherty, relating to juvenile court records.

HB 1539, introduced by Representatives Dixon and Icet, relating to qualifications of candidates for public office.

HB 1540, introduced by Representatives Dixon, Myers and Icet, relating to offender health care.

HB 1541, introduced by Representatives Dixon, Dempsey and Icet, relating to misrepresentation of age by a minor to obtain liquor.

HB 1542, introduced by Representatives Dixon and Corcoran, relating to compensation for those released from the department of corrections after post-conviction DNA testing.

HB 1543, introduced by Representatives Dixon, Roark and Icet, relating to law enforcement records.

HB 1544, introduced by Representatives Dixon and Icet, relating to court costs in criminal cases.

HB 1545, introduced by Representative Dempsey, relating to charter city board membership requirements.

SECOND READING OF HOUSE BILLS

HB 1506 through **HB 1511** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 1268 & 1211, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8, House Substitute Amendment No. 1 for House Amendment No. 8, House Amendment No. 8, and HS, as amended, pending, relating to employees, was taken up by Representative Smith (118).

On motion of Representative Hobbs, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8** was adopted.

On motion of Representative Lipke, **House Substitute Amendment No. 1 for House Amendment No. 8, as amended,** was adopted.

Representative Abel offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Page 41, Section 288.270, Line 15, by adding at the end of Line 15 the following:

“Any contract let for the performance of services under this section shall include provisions which specify that only citizens of the United States and persons authorized to work in the United States pursuant to federal law shall be employed in the performance of services under the contract or any subcontract award under the contract.”.

On motion of Representative Abel, **House Amendment No. 9** was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider

Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Bivins	Carnahan	Reinhart	Selby
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On motion of Representative Smith (118), **HS HCS HBs 1268 & 1211, as amended**, was adopted.

On motion of Representative Smith (118), **HS HCS HBs 1268 & 1211, as amended**, was ordered perfected and printed.

Speaker Hanaway assumed the Chair.

THIRD READING OF HOUSE BILL - CONSENT

HB 994, relating to the thirtieth judicial circuit, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **HB 994** was read the third time and passed by the following vote:

AYES: 130

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Black	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Guest
Hampton	Harris 110	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall

Rector	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Threlkeld	Townley
Viebrock	Villa	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yates	Young	Madam Speaker

NOES: 022

Barnitz	Bland	Burnett	Campbell	Corcoran
Darrough	El-Amin	Graham	Green	Harris 23
Haywood	Hoskins	Johnson 90	Liese	Lowe
Sager	Spreng	Thompson	Vogt	Walton
Yaeger	Zweifel			

PRESENT: 003

Johnson 61	LeVota	Meadows
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ABSENT WITH LEAVE: 008

Avery	Bivins	Carnahan	Page	Reinhart
Selby	Smith 118	Wildberger		

Speaker Hanaway declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 33 - Local Government
HJR 50 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 834 - Financial Services
HB 864 - Agriculture
HB 927 - Senior Security
HB 942 - Local Government
HB 970 - Professional Registration and Licensing
HB 1038 - Transportation and Motor Vehicles
HB 1050 - Transportation and Motor Vehicles
HB 1081 - Job Creation and Economic Development
HB 1104 - Local Government
HB 1170 - Transportation and Motor Vehicles
HB 1172 - Professional Registration and Licensing

HB 1203 - Education
HB 1213 - Judiciary
HB 1229 - Judiciary
HB 1273 - Retirement
HB 1279 - Conservation and Natural Resources
HB 1280 - Transportation and Motor Vehicles
HB 1283 - Transportation and Motor Vehicles
HB 1284 - Transportation and Motor Vehicles
HB 1294 - Local Government
HB 1320 - Tax Policy
HB 1322 - Education
HB 1323 - Health Care Policy
HB 1337 - Tourism and Cultural Affairs
HB 1358 - Professional Registration and Licensing
HB 1368 - Professional Registration and Licensing
HB 1369 - Judiciary
HB 1374 - Transportation and Motor Vehicles
HB 1375 - Agriculture
HB 1399 - Professional Registration and Licensing
HB 1400 - Crime Prevention and Public Safety
HB 1419 - Transportation and Motor Vehicles
HB 1422 - Professional Registration and Licensing
HB 1423 - Health Care Policy
HB 1427 - Crime Prevention and Public Safety
HB 1437 - Transportation and Motor Vehicles
HB 1438 - Transportation and Motor Vehicles
HB 1447 - Crime Prevention and Public Safety
HB 1449 - Transportation and Motor Vehicles
HB 1450 - Crime Prevention and Public Safety
HB 1458 - Judiciary
HB 1459 - Communications, Energy and Technology
HB 1464 - Professional Registration and Licensing
HB 1467 - Tax Policy
HB 1470 - Crime Prevention and Public Safety
HB 1471 - Local Government
HB 1474 - Job Creation and Economic Development
HB 1476 - Job Creation and Economic Development
HB 1477 - Health Care Policy
HB 1478 - Workforce Development and Workplace Safety
HB 1479 - Crime Prevention and Public Safety
HB 1480 - Retirement
HB 1494 - Elections

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SBs 1144, 919 & 874 - Transportation and Motor Vehicles

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **HB 1126**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Children and Families, Chairman Phillips reporting:

Madam Speaker: Your Committee on Children and Families, to which was referred **HJR 39, HJR 38, HJR 42** and **HJR 47**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Ethics, Chairman Crowell reporting:

Madam Speaker: Your Committee on Ethics, to which was referred the **Arts Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

To: Representative Jason Crowell

From: Representative Otto Bean, Jr., Chairman

Subject: Arts Caucus

I am requesting your permission to form an Arts Caucus. I have submitted signatures as per your request. Representative Marsha Campbell is the co-chairman.

/s/ Otto Bean, Jr.

Name	District
/s/ Abel, Mark	103
/s/ Angst, Randy	146
/s/ Baker, Brian	123
/s/ Barnitz, Frank	150
/s/ Bean Jr, Otto	163
/s/ Bearden, Carl	16
/s/ Behnen, Bob	2
/s/ Bishop, Dan	38
/s/ Bivins, Walt	97
/s/ Black III, Lanie	161
/s/ Bland, Craig	43
/s/ Bough, Jerry	142
/s/ Boykins, Amber	60

/s/ Bringer, Rachel	6
/s/ Sanders Brooks, Sharon	37
/s/ Brown, Jason	30
/s/ Burnett, John	40
/s/ Byrd, Richard	94
/s/ Campbell, Marsha	39
/s/ Carnahan, Russ	59
/s/ Cooper, Shannon	120
/s/ Cooper, Wayne	155
/s/ Corcoran, Michael	77
/s/ Crawford, Larry	117
/s/ Crowell, Jason	158
/s/ Cunningham, Mike	145
/s/ Curls, Melba	41
/s/ Darrough, Bruce	75
/s/ Daus, Michael	67
/s/ Davis, D.J.	122
/s/ Dempsey, Tom	18
/s/ Dixon, Bob	140
/s/ Donnelly, Margaret	73
/s/ Dusenberg, Gary	54
/s/ El-Amin, Yaphette	57
/s/ Engler, Kevin	106
/s/ Fares, Kathlyn	91
/s/ Wall Fraser, Barbara	83
/s/ George, Thomas	74
/s/ Goodman, Jack	132
/s/ Graham, Chuck	24
/s/ Green, Tom	15
/s/ Guest, Jim	5
/s/ Hanaway, Catherine	87
/s/ Harris, Belinda	110
/s/ Harris, Jeff	23
/s/ Haywood, Esther	71
/s/ Henke, Wayne	11
/s/ Hilgemann, Robert	64
/s/ Hobbs, Steve	21
/s/ Holand, Roy	135
/s/ Hubbard, Rodney	58
/s/ Hunter, Steve	127
/s/ Icet, Allen	84
/s/ Jackson, Jack	89
/s/ Jetton, Rod	156
/s/ Johnson, Connie	61
/s/ Johnson, Rick	90
/s/ Johnson, Robert Thane	47
/s/ Jolly, Cathy	45
/s/ Wright Jones, Robin	63
/s/ Kelly, Gary	36
/s/ Kelly, Van	144
/s/ King, Jerry	125
/s/ Kingery, Gayle	154
/s/ Kratky, Fred	65
/s/ Kuessner, J.C.	152
/s/ Lawson, Maurice	29

/s/ Lembke, Jim	85
/s/ LeVota, Paul	52
/s/ Liese, Albert	79
/s/ Lipke, Scott	157
/s/ Lowe, Jenee	44
/s/ Luetkemeyer, Blaine	115
/s/ May, Bob	149
/s/ Mayer, Robert	159
/s/ McKenna, Ryan	102
/s/ Meiners, Kate	46
/s/ Miller, Ronnie	133
/s/ Moore, Danie	20
/s/ Muckler, Matt	70
/s/ Myers, Peter	160
/s/ Nieves, Brian	98
/s/ Page, Sam	82
/s/ Parker, Sherman	12
/s/ Pearce, David	121
/s/ Phillips, Susan	32
/s/ Portwood, Dr. Charles	82
/s/ Pratt, Bryan	55
/s/ Purgason, Chuck	151
/s/ Quinn, John	7
/s/ Ransdall, Bill	148
/s/ Reinhart, Annie	34
/s/ Richard, Ron	129
/s/ Ruestman, Marilyn	131
/s/ Sager, Mike	48
/s/ Salva, Ray	51
/s/ Schaaf, Robert	28
/s/ Schlottach, Charles	111
/s/ Schneider, Vicki	17
/s/ Schoemehl, Sue	100
/s/ Seigfreid, Jim	26
/s/ Shoemaker, Chris	8
/s/ Shoemyer, Wes	9
/s/ Skaggs, Trent	31
/s/ Smith, Todd	118
/s/ Spreng, Michael	76
/s/ Stevenson, Bryan	128
/s/ Sutherland, Mike	99
/s/ Swinger, Terry	162
/s/ Taylor, Larry Gene	68
/s/ Thompson, Betty	72
/s/ Threlkeld, Kevin	109
/s/ Townley, Merrill	112
/s/ Viebrock, Jim	134
/s/ Villa, Thomas A.	108
/s/ Vogt, Michael	66
/s/ Walker, Vicki	50
/s/ Wallace, Maynard	143
/s/ Walsh, Gina	69
/s/ Walton, Juanita	81
/s/ Ward, Dan	107
/s/ Wasson, Jay	141

/s/ Whorton, Jim	3
/s/ Wildberger, Edward	27
/s/ Willoughby, Philip	33
/s/ Wilson, Kevin	130
/s/ Wilson, Larry	119
/s/ Riback Wilson, Vicky	25
/s/ Wilson, Yvonne	42
/s/ Witte, Terry	10
/s/ Wood, Dennis	62
/s/ Wright, Mark	137
/s/ Yaeger, Patricia	96
/s/ Yates, Brian	56
/s/ Young, Terry	49
/s/ Zweifel, Clint	78

Madam Speaker: Your Committee on Ethics, to which was referred the **Dairy Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Representative Jason Crowell
Chairman, House Ethics Committee

From: Representative Jerry R. King

Date: February 3, 2004

Subject: Dairy Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, I would like to request a hearing and approval for the Missouri House Dairy Caucus.

A signed listing of the members of the 92nd General Assembly, Second Regular Session Dairy Caucus is attached.

Name	District
/s/ Brian Munzlinger	1
/s/ James Whorton	3
/s/ Jim Guest	5
/s/ Rachel Bringer	6
/s/ John Quinn	7
/s/ Wes Shoemyer	9
/s/ Terry Witte	10
/s/ Cynthia Davis	19
/s/ Danie Moore	20
/s/ Steve Hobbs	21
/s/ Therese Sander	22
/s/ Jim Seigfreid	26
/s/ Philip Willoughby	33
/s/ Annie Reinhart	34
/s/ Gary Kelly	36
/s/ Dennis Wood	62
/s/ Robin Wright Jones	63
/s/ Michael Daus	67
/s/ Larry Gene Taylor	68
/s/ Jim Lembke	85

/s/ Kathlyn Fares	91
/s/ Chuck Portwood	92
/s/ Jodi Stefanick	93
/s/ Richard Byrd	94
/s/ Mike Sutherland	99
/s/ Kevin Engler	106
/s/ Kevin Threlkeld	109
/s/ Charles Schlottach	111
/s/ Merrill M. Townley	112
/s/ Blaine Luetkemeyer	115
/s/ Larry Crawford	117
/s/ Todd Smith	118
/s/ Larry Wilson	119
/s/ Shannon Cooper	120
/s/ D.J. Davis	122
/s/ Rex Rector	124
/s/ Jerry King	125
/s/ Steve Hunter	127
/s/ Bryan Stevenson	128
/s/ Ron Richard	129
/s/ Marilyn Ruestman	131
/s/ Jack A. L. Goodman	132
/s/ Ronnie Miller	133
/s/ Jim Viebrock	134
/s/ Mark Wright	137
/s/ Larry Morris	138
/s/ Jerry Bough	142
/s/ Maynard Wallace	143
/s/ Van Kelly	144
/s/ Mike Cunningham	145
/s/ Randy Angst	146
/s/ Mark Hampton	147
/s/ Bill Ransdall	148
/s/ Bob May	149
/s/ Frank A. Barnitz	150
/s/ Wayne Cooper	155
/s/ Rod Jetton	156
/s/ Scott Lipke	157
/s/ Jason Crowell	158
/s/ Robert Mayer	159
/s/ Peter Myers	160
/s/ Lanie Black	161
/s/ Terry Swinger	162
/s/ Otto Bean, Jr.	163

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the Democrat Lawyers Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

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To: Jason Crowell - Ethics Committee Chairman

From: Rep. John P. Burnett

Date: January 29, 2004

Subject: Democrat Lawyers Caucus

In accordance with Section 105.473.3(2)(c)d RSMo., we are requesting the addition of Representative Connie L. Johnson as a member of the Democrat Lawyers Caucus.

/s/ Connie L. Johnson, District 61

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the Joint Irish Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

February 3, 2004

The Honorable Jason Crowell
Missouri House of Representatives
Chairman, House Ethics Commission
Room 309, State Capitol
Jefferson City, MO 65101

Dear Chairman Crowell:

The following State Legislators have requested that their names be added to the roster of the Joint Irish Caucus:

/s/ Representative Tim Meadows, District 101
/s/ Representative Rod Jetton, District 156
/s/ Representative Wes Shoemyer, District 9
/s/ Representative Ed Wildberger, District 27
/s/ Representative Robert Behnen, District 2
/s/ Representative Kate Meiners, District 46
/s/ Representative Danielle Moore, District 20
/s/ Representative Philip Willoughby, District 33
/s/ Representative Jim Whorton, District 3
/s/ Representative Mark Hampton, District 147
/s/ Representative Larry Taylor, District 68
/s/ Representative Robin Wright Jones, District 63
/s/ Senator Victor Callahan, District 11
/s/ Representative Terry Swinger, District 162

Please consider this letter as approval for the above-named to be considered as members of this Caucus. Thank you very much for your time and attention to this request.

Sincerely,

/s/ Representative Mike Sager
District 48

Madam Speaker: Your Committee on Ethics, to which was referred the **Lawyers' Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Chairman, House Ethics Committee

FROM: Jason Crowell

DATE: February, 2004

SUBJECT: Missouri House of Representative Lawyers' Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 92nd General Assembly's House of Representatives Lawyers' Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) (751-2459) if you have any questions.

/s/ Richard Byrd (94)
Chairman

/s/ John Burnett (40)	/s/ Rick Johnson (90)
/s/ Dan Bishop (38)	/s/ Cathy Jolly (45)
/s/ Rachel Bringer (6)	/s/ Scott Lipke (157)
/s/ Russ Carnahan (59)	/s/ Robert Mayer (159)
/s/ Jason Crowell (158)	/s/ Bryan Pratt (55)
/s/ Margaret Donnelly (73)	/s/ Bryan Stevenson (128)
/s/ Jack Goodman (132)	/s/ Michael Vogt (66)
/s/ Catherine Hanaway (87)	/s/ Philip Willoughby (33)
/s/ Jeff Harris (23)	/s/ Terry Witte (10)
/s/ Connie Johnson (61)	/s/ Brian Yates (56)

Madam Speaker: Your Committee on Ethics, to which was referred the **Missouri Forest Products Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell, Chairman House Ethics Committee

FROM: Representative J.C. Kuessner and Representative Chuck Purgason

DATE: February 5, 2004

RE: Missouri Forest Products Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 92nd General Assembly's House of Representatives Missouri Forest Products Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-2112 if you have any questions.

Name	District
/s/ Randy Angst	146
/s/ Frank Barnitz	150
/s/ Larry Crawford	117
/s/ Mike Dethrow	154
/s/ Kevin Engler	106
/s/ Thomas Green	15
/s/ Gayle Kingery	154
/s/ Bob May	149
/s/ Ronald Richard	129
/s/ Mike Sager	48
/s/ Merrill Townley	112
/s/ James Viebrock	134
/s/ Rachel Bringer	6
/s/ Wayne Henke	11
/s/ Van Kelly	144
/s/ Peter Myers	160
/s/ Bill Ransdall	148
/s/ James Seigfreid	26
/s/ Bryan Stevenson	128
/s/ Terry Witte	10
/s/ J.C. Kuessner	152
/s/ Chuck Purgason	151
/s/ Mark Hampton	147
/s/ Steven Hunter	127
/s/ John Quinn	7
/s/ Todd Smith	118
/s/ Maynard Wallace	143
/s/ Larry Wilson	119
/s/ Jim Whorton	3
/s/ Wes Shoemyer	9
/s/ Harold Selby	105
/s/ Michael Vogt	66
/s/ Jim Lembke	85
/s/ Charlie Schlottach	111
/s/ Robert Mayer	159
/s/ Shannon Cooper	120
/s/ Mark Wright	137
/s/ Blaine Luetkemeyer	115
/s/ Danie Moore	20
/s/ Ron Richard	129
/s/ Mark Abel	103
/s/ Scott A. Lipke	157
/s/ Larry Taylor	68
/s/ Therese Sander	22
/s/ Robert Mayer	159

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the University of Missouri Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Representative Jason Crowell, Chair
Ethics Committee

From: Representative Russ Carnahan

Date: January 14, 2004

Re: University of Missouri Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, I am requesting the addition of the following member of the General Assembly as a member of the University of Missouri Caucus.

Representative	District
/s/ Terry Swinger	162

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1198**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **HB 923**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 1003**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1304**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 801**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 895**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 932**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 989**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1070**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1071**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 955**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 960**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

The following member's presence was noted: Carnahan.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, February 23, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Rex Rector, District 124, hereby state and affirm that my vote as recorded on Page 357 of the House Journal for Wednesday, February 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of February 2004.

/s/ Rex Rector
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Vicky Riback Wilson, District 25, hereby state and affirm that my vote as recorded on Page 357 of the House Journal for Wednesday, February 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of February 2004.

/s/ Vicky Riback Wilson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Terry Young, District 49, hereby state and affirm that my vote as recorded on Page 357 of the House Journal for Wednesday, February 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of February 2004.

/s/ Terry Young
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1192, SB 739

APPROPRIATIONS - EDUCATION

Monday, February 23, 2004, 12:00 p.m. Hearing Room 1.

Possible mark up on HB 1003.

Mark up will be held on: HB 1002

APPROPRIATIONS - EDUCATION

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 1.

Mark up will be held on: HB 1002, HB 1003

APPROPRIATIONS - EDUCATION

Wednesday, February 25, 2004, 3:00 p.m. Hearing Room 1.

Mark up will be held on: HB 1003

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 23, 2004, 1:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1012, HB 1004

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 23, 2004, 2:00 p.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 25, 2004, 8:00 a.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 26, 2004, Hearing Room 6 upon morning adjournment.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 5.

Department of Transportation mark up wrapped up.

Department of Economic Development mark up to begin.

CHILDREN AND FAMILIES

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 1.

Executive session will be held on: HB 1453, HB 915

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, February 24, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 822, HB 1234, HB 1310, HB 1247

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 867, HB 925, HB 791, HB 1487

ELECTIONS

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 7.

Executive session will precede the hearing.

Public hearings to be held on: HB 1249, HB 988, HB 1101

Executive session will be held on: HB 900, HB 1150, HB 1039

FINANCIAL SERVICES

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 884, HB 1223, HB 904, HB 1291, HB 1169

Executive session will be held on: HB 936, HB 938

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 1226, HB 1382

Executive session will be held on: HB 957, HB 1152

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, State leasing practices. Any other business.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Monday, February 23, 2004, 2:00 p.m. Hearing Room 2.

Challenge fiscal note HCS HB 980.

LOCAL GOVERNMENT

Monday, February 23, 2004, 3:00 p.m. Hearing Room 4.

Executive session will follow.

Public hearings to be held on: HB 1454, HB 1462

LOCAL GOVERNMENT

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 824, HB 972, HB 1225, HB 1398

TAX POLICY

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 934, HB 1382, HB 1343, HB 1267

HOUSE CALENDAR

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 23, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 24

HOUSE BILLS FOR SECOND READING

HB 1512 through HB 1545

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 978 - Baker (123)
- 5 HCS HB 1380 - Lager (4)
- 6 HCS HB 1304 - Byrd (94)

HOUSE BILLS FOR PERFECTION - CONSENT

(2-23-04)

- 1 HB 801 - Smith (118)
- 2 HCS HB 895 - Emery (126)
- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989 - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071 - Goodman (132)
- 10 HB 1107 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HCS HB 1040, E.C. - Cunningham (86)
- 3 HS HCS HB 1268 & 1211, E.C. - Smith (118)

SENATE BILL FOR THIRD READING

SCS SB 1003 - Bean (163)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 23, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Dr. Monte Shinkle, Concord Baptist Church, Jefferson City, Missouri.

Dear Heavenly Father,

I thank You today for Your mercy and grace You have so richly poured out upon us. You are a great God and I praise You.

Thank You for the privilege of living in this free land.

Thank You for the freedoms we enjoy as American citizens.

Thank You for the freedom to call on You for guidance.

Thank You for Your wonderful promise to give us wisdom when we ask.

Thank You for these elected officials who are exhorted in Your Holy Word to seek Your face for wisdom and blessing.

Thank You for the democratic process You have allowed to flourish in our land.

Today I call on You Lord; for wisdom to make godly decisions. For blessings upon this body and its many members. For blessings upon the families of these elected officials of our state. Where there is sickness, will You please heal? Where there is distress, will You bring peace? Where there is confusion, will You bring guidance? Where there are hard feelings, will You bring forgiveness? Where there is sin, will You bring conviction and cleansing? Dear God, in this day of great distress in our country, will You please heal our land?

In the name of Jesus Christ I pray. Amen.

The Pledge of Allegiance to the flag was recited.

Representative Emery assumed the Chair.

The Journal of the twenty-fifth day was approved as corrected by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey

Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Lembke Walton

HOUSE RESOLUTION

Representative Crawford offered House Resolution No. 720.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 677 - Representative Boykins
House Resolution No. 678
through
House Resolution No. 691 - Representative Fares
House Resolution No. 692
through
House Resolution No. 694 - Representative Willoughby
House Resolution No. 695 - Representative Sander
House Resolution No. 696 - Representative Rector
House Resolution No. 697 - Representative Engler
House Resolution No. 698
through
House Resolution No. 711 - Representative Stefanick

House Resolution No. 712 - Representative King
House Resolution No. 713 - Representative Dethrow
House Resolution No. 714
through
House Resolution No. 719 - Representative Ervin
House Resolution No. 721 - Representative Deeken
House Resolution No. 722 - Representative Ward

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1546, introduced by Representatives Moore, Myers, Quinn, Ruestman, Rector, Dixon, Cooper (120), Sander, Crawford, Munzlinger, Smith (118), Pearce, Wilson (119), Luetkemeyer, Hobbs and Mayer, relating to the department of natural resources.

HB 1547, introduced by Representative Wood, relating to local approval for licensing of excursion gambling boats.

HB 1548, introduced by Representatives Crawford, Moore, Seigfreid, Quinn, Wildberger, Deeken, Bruns, Engler, Smith (118), Parker, Davis (122), Guest, Lowe, Munzlinger, Stevenson, Hobbs and Zweifel, relating to state employees' pay.

HB 1549, introduced by Representatives Hoskins, Bland, Sanders Brooks, Thompson, Johnson (61), Wilson (42), Hubbard and Boykins, relating to voter registration.

HB 1550, introduced by Representatives Burnett and LeVota, relating to exemptions from the workers' compensation law.

HB 1551, introduced by Representative Davis (19), relating to grandparent visitation.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 24 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1512 through **HB 1545** were read the second time.

THIRD READING OF HOUSE BILL

HCS HB 1040, relating to education accountability, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS HB 1040** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Dempsey	Lembke	Walton
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Representative Emery declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bearden
Behnen	Bishop	Bivins	Black	Bland

Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Bean

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Dempsey	Lembke	Walton
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MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 951**, entitled:

An act to repeal section 70.300, RSMo, and to enact in lieu thereof one new section relating to contracts of political subdivisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 952**, entitled:

An act to repeal sections 84.510 and 84.560, RSMo, and to enact in lieu thereof two new sections relating to certain police officers.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1012**, entitled:

An act to repeal section 140.340, RSMo, and to enact in lieu thereof one new section relating to redemption of property.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1062**, entitled:

An act to amend chapter 311, RSMo, by adding thereto one new section relating to liquor licenses for caterers.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

To: Steve Davis, Chief Clerk
From: Rep. Belinda Harris
CC: Rep. Larry Crawford, Chairman of Transportation and Motor Vehicles
Date: 2/23/2004
Re: House Bill 1419

I am requesting that **House Bill No. 1419** be withdrawn. This bill does not express the content for which I had intended. Should you have any questions or need additional information, please let me know.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m, Tuesday, February 24, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-fifth Day, Thursday, February 19, 2004, Page 379, Lines 16-18, by deleting said lines and inserting in lieu thereof the following:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1107, Page 1, Section 238.208, Line 3, by inserting immediately after the word "**district.**" the following:

"If the property owners within the transportation development district unanimously approve of the addition of property, the adjacent properties in the petition shall be added to the district."; and

Further amend said title, enacting clause and intersectional references accordingly.

AFFIDAVIT

I, State Representative Tim Meadows, District 101, hereby state and affirm that my vote as recorded on Page 368 of the House Journal for Thursday, February 19, 2004 showing that I voted present was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 23rd day of February 2004.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 23rd day of February in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1192, SB 739

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 25, 2004, 2:30 p.m. Hearing Room 4.

Mark up for the Department of Agriculture.

APPROPRIATIONS - EDUCATION

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 1.

Mark up will be held on: HB 1002, HB 1003

APPROPRIATIONS - EDUCATION

Wednesday, February 25, 2004, 3:00 p.m. Hearing Room 1.

Mark up will be held on: HB 1003

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 24, 2004, 8:30 a.m. Hearing Room 7.

Committee hearing will recess at 10:00 a.m. and reconvene at 2:45 p.m.

Mark up will be held on: HB 1012, HB 1004, HB 1005

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 25, 2004, 2:30 p.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 26, 2004, Hearing Room 6 upon morning adjournment.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 24, 2004, 8:00 a.m. Hearing Room 5.

Department of Transportation mark up wrapped up.

Department of Economic Development mark up to begin.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 24, 2004, 2:30 p.m. Hearing Room 5.

Mark up Department of Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 25, 2004, 2:30 p.m. Hearing Room 5.

Mark up Department of Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 5.

Mark up Department of Economic Development.

BUDGET

Wednesday, February 25, 2004, 8:00 a.m. Hearing Room 3.

Public hearing to be held on: HJR 49

Executive session will be held on: HB 1014

CHILDREN AND FAMILIES

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 1.

Executive session will be held on: HB 1453, HB 915

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, February 24, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 822, HB 1234, HB 1310, HB 1247

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 956, HB 1187

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 867, HB 925, HB 791, HB 1487

ELECTIONS

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 7.

Executive session will precede the hearing.

Public hearings to be held on: HB 1249, HB 988, HB 1101

Executive session will be held on: HB 900, HB 1150, HB 1039

FINANCIAL SERVICES

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 884, HB 1223, HB 904, HB 1291, HB 1169

Executive session will be held on: HB 936, HB 938

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 1226, HB 1381

Executive session will be held on: HB 957, HB 1152

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 1426, HB 1421, HB 1370

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration, Division of Facilities Management, State leasing practices. Any other business.

JUDICIARY

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 1.

Executive session on other bills may follow.

Public hearings to be held on: HB 1188, HB 1350, HB 808, HB 1384, HB 1336, HB 965, HB 870, HB 1143, HB 798

Executive session will be held on: HB 1115

LOCAL GOVERNMENT

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 6.

Executive session shall follow. AMENDED

Public hearings to be held on: HB 824, HB 972, HB 1225, HB 1398, HB 1471

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1399, HB 1197

Executive session may be held on: HB 1224, HB 1195

SENIOR SECURITY

Tuesday, February 24, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1367, HB 1230

Executive session may be held on: HB 1302, HB 1367

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 25, 2004, 8:00 a.m. Hearing Room 5.

Executive session will follow.

Public hearings to be held on: HB 1347, HB 1402, HB 1411

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, February 24, 2004, 6:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 1097

TAX POLICY

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 934, HB 1382, HB 1343, HB 1267

TOURISM AND CULTURAL AFFAIRS

Tuesday, February 24, 2004, 12:00 p.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 1132, HB 1337

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 995, HB 996, HB 1366, HB 1405,

HB 976, HB 977, SCS SBs 1144, 919, & 874

Executive session may be held on: HB 1167, HB 1114, HB 937, HB 1080, HB 770,

HB 1109, HB 883, HB 1317, HB 1118, HB 1142, HB 1259, HB 1288, HB 1439

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1478, SB 932

HOUSE CALENDAR

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 24, 2004

HOUSE BILLS FOR SECOND READING

HB 1546 through HB 1551

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952 - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 978 - Baker (123)
- 5 HCS HB 1380 - Lager (4)
- 6 HCS HB 1304 - Byrd (94)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/23/04)

- 1 HB 801 - Smith (118)
- 2 HCS HB 895 - Emery (126)

- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989 - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071 - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980, (Budget 2-04-04) - Myers (160)
- 2 HS HCS HB 1268 & 1211, E.C. - Smith (118)

SENATE BILLS FOR SECOND READING

- 1 SB 951
- 2 SCS SB 952
- 3 SB 1012
- 4 SCS SB 1062

SENATE BILL FOR THIRD READING

- SCS SB 1003 - Bean (163)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 24, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Almighty God, we thank You for this new day. We thank You for the wonders of creation that we call natural resources. You have given humankind dominion over created things. We show our respect for You, the Creator, by the dominion of proper care for them.

Highways and messages along these highways have been brought to our attention. As we consider them, You call us away from excessive self-interest and partisanship and toward concern for the common good.

We think of valleys that "shall be filled in", hills that "shall be made low" and of "rough" ways that shall be made smooth. (Isaiah 40:4) What is best for the common good? Where are resources to pay for improvements? What messages respect the Creator? Which ones insult the Creator?

Give us knowledge, O Lord, to understand what is best for the common good. Give us right judgment and courage to do our part in carrying it out.

We pray to You, who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Eli Clouse, Tanner Heet, Jonathan Norman, Joseph Willis, Ashlee Bross, Katherine Hodgson, Josh Gingrich and Josh Chittum.

The Journal of the twenty-sixth day was approved as printed.

SPECIAL RECOGNITION

Mike Robinson, Camp Avery Employee of the Year, was introduced by Representative Henke and recognized as an Outstanding Missourian.

Terrence Williams, recipient of the VFW Voice of Democracy Award, was introduced by Representative Boykins and recognized as an Outstanding Missourian.

Mr. Williams addressed the House.

Representative Wallace assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 723 - Representative Deeken
House Resolution No. 724 - Representative Munzlinger
House Resolution No. 725
through
House Resolution No. 730 - Representative Lager
House Resolution No. 731 - Representative Quinn

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1552, introduced by Representatives Sager, Graham and Fraser, relating to universally designed lifetime homes.

HB 1553, introduced by Representatives Sager, Whorton, Graham, Meadows and Carnahan, relating to the designation of the month of March of each year for commemoration of Irish history.

HB 1554, introduced by Representatives Sager and Graham, relating to the lifetime home fund.

HB 1555, introduced by Representatives Sager, LeVota, Donnelly, Carnahan and Wildberger, relating to the Missouri Uniform Communications Act for Homeland Security.

HB 1556, introduced by Representatives Sager, Vogt, Whorton, Meadows, Carnahan and Behnen, relating to the designation of the month of October of each year for commemoration of German history.

SECOND READING OF HOUSE BILLS

HB 1546 through **HB 1551** were read the second time.

SECOND READING OF SENATE BILLS

SB 951, **SCS SB 952**, **SB 1012** and **SCS SB 1062** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 946, 1106 & 952, relating to transportation, was taken up by Representative Crawford.

Representative Crawford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 7, Section 226.030, Line 41, by deleting all of said line and inserting in lieu thereof the following:

"death, resignation, removal, or refusal to serve before the one-year leadership term expires, the commission"; and

Further amend said bill, Page 8, Section 226.030, Line 62, by inserting after all of said line the following:

"6. Any member reappointed shall only be eligible to serve as chair or vice-chair during the final two years of such member's reappointment."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crawford, **House Amendment No. 1** was adopted.

Representative Crowell offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 4, Section 21.795, Line 102, by deleting the words **"real property"** and inserting in lieu thereof the following:

"property under review for disposal and land necessary for future use"; and

Further amend said bill, Page 4, Section 21.795, Line 103, by inserting immediately after the word **"transactions"** the following:

"of such property"; and

Further amend said bill, Page 6, Section 21.795, Line 171, by inserting after all of said line the following:

"7. As used in this section, the following terms mean:

(1) **"Property under review for disposal", any real estate held by the Missouri highways and transportation commission that is under review by the highways and transportation commission and the department of transportation for disposal as possibly unnecessary for highways and transportation commission and department of transportation purposes;**

(2) **"Land necessary for future use", any real estate interest held by the highways and transportation commission for highway projects that have not been constructed, do not have construction funds programmed for the current five-year statewide transportation improvement program, and is being held by the highways and transportation commission for future use when the project, using the real estate, is programmed for construction."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crowell, **House Amendment No. 2** was adopted.

Representative Rector offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 17, Section 301.010, Line 241, by inserting after all of said line the following:

"304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however, the commercial zone surrounding a city not within a county shall extend eighteen miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any first class charter county which adjoins that city; further, provided, however, the commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; **except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants.** In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

4. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rector, **House Amendment No. 3** was adopted.

Representative Emery offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 10, Section 227.349, Line 3, by inserting after all of said line the following:

"233.166. Notwithstanding other provisions of this chapter to the contrary, in any county, any petition to disincorporate a road district organized under this chapter shall be presented to the county commission or similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission that the public good will be advanced by the disincorporation after providing notice and a hearing as required in section 233.295, then the county commission shall disincorporate the road district."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 4** was adopted.

Representative Engler offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 10, Section 227.349, Line 3, by inserting after said line the following:

“227.350. The portion of U.S. highway 67 in St. Francois County between state route 8 in Desloge and state route 32 in Leadington shall be designated the “Deputy Steven R. Ziegler Memorial Highway”. Costs for such designations shall be paid by private donations.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 5** was adopted.

Representative Bringer offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 17, Section 1, Lines 1 through 32, by deleting all of said section; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 6** was adopted.

Speaker Hanaway resumed the Chair.

Representative Harris (23) requested a division of the question on **HCS HBs 946, 1106 & 952, as amended.**

On motion of Representative Crawford, **Part I of HCS HBs 946, 1106 & 952, as amended,** was adopted.

Representative Whorton offered **House Amendment No. 1 to Part II.**

House Amendment No. 1

AMEND Part II of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 6, Section 226.030, Lines 1 to 21, by deleting all of said lines and inserting in lieu thereof the following:

"226.030. 1. Prior to January 1, 2006, the [state] highways and transportation commission shall consist of six members, who shall be appointed by the governor, by and with the advice and consent of the senate, not more than three thereof to be members of the same political party. **Beginning January 1, 2006, the commission shall consist of ten members, who shall be appointed by the governor, by and with the advice and consent of the senate, not more than five thereof to be members of the same political party, and each commissioner appointed after such date shall be a resident of a department of transportation geographic district different from that of the other commissioners.** Each commissioner shall be a taxpayer and resident of state for at least five years prior to his **or her** appointment. Any commissioner may be removed by the governor if fully satisfied of his **or her** inefficiency, neglect of duty, or misconduct in office. Commissioners appointed pursuant to this section shall be appointed for terms of six years, **except as provided in this subsection.** Upon the expiration of each of the foregoing terms of these commissioners a successor shall be

appointed for a term of six years or until his **or her** successor is appointed and qualified which term of six years shall thereafter be the length of term of each member of the commission unless removed as above provided. The members of the commission shall receive as compensation for their services twenty-five dollars per day for the time spent in the performance of their official duties, and also their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties. [Members whose terms otherwise expire December 1, 2003, shall serve with terms expiring March 1, 2004, and] New members or the members reappointed **prior to August 28, 2004**, shall be appointed for terms expiring March 1, 2005; a member whose term otherwise expires December 1, 2005, **and a new member appointed after August 28, 2004**, shall **each** serve with a term expiring March 1, 2007; **a new member appointed after August 28, 2004, shall serve with a term expiring March 1, 2008**; a member whose term otherwise expires December 1, 2007, **and a new member appointed after August 28, 2004**, shall **each** serve with a term expiring March 1, 2009; [and] one member whose term otherwise expires October 13, 2007, shall serve with a term expiring March 1, 2007; [and] one member whose term otherwise expires October 13, 2007, shall serve with a term expiring March 1, 2009, **and a new member appointed after August 28, 2004, shall serve with a term expiring March 1, 2010**. If a vacancy occurs in any"; and

Further amend said bill, Page 7, Section 226.030, Line 58, by placing brackets around the word "six"; and

Further amend said bill, Page 8, Section 226.030, Line 62, by deleting all of said line and inserting in lieu thereof the following:

"August 28, [2008] **2010**."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wallace resumed the Chair.

Representative Whorton moved that **House Amendment No. 1 to Part II** be adopted.

Which motion was defeated.

Representative Bringer offered **House Amendment No. 2 to Part II**.

House Amendment No. 2

AMEND Part II of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 6, Section 226.030, Line 1, by inserting before said line the following:

"Section A. Section 50.515, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 50.515, to read as follows:

50.515. The governing body of any county may, by order of such governing body, impose an administrative service fee on the county park fund or the county road and bridge fund, or any specific purpose capital improvements fund, authorized pursuant to the provisions of section 67.547, 67.550 or 67.700, RSMo. Such administrative service fee shall only be imposed to recoup expenditures made from the county general revenue fund to provide administrative services to the county park fund or the county road and bridge fund, or any specific purpose capital improvements fund authorized pursuant to section 67.547, 67.550 or 67.700, RSMo, including, but not limited to, accounting, bookkeeping, legal services, auditing, investment control, fiscal management, and revenue collection. Any administrative service fee imposed under this section shall be imposed at a rate which will only generate revenue sufficient to recoup actual expenditures made from the general revenue fund of the county to provide administrative services to the fund against which such service fee is imposed, including both direct and indirect expenditures as determined by an independent audit; provided, that no administrative service fee shall exceed three percent of the total budget of the fund on which such fee is imposed, **except in any county of the third classification, in which no administrative service fee shall exceed five percent of the total budget of the fund on which such fee is imposed.**".

On motion of Representative Bringer, **House Amendment No. 2 to Part II** was adopted.

On motion of Representative Crawford, **Part II of HCS HBs 946, 1106 & 952, as amended**, was adopted.

On motion of Representative Crawford, **Part III of HCS HBs 946, 1106 & 952** was adopted.

HCS HBs 946, 1106 & 952, as amended, with Part IV, Part V, Part VI, as amended, and Part VII, pending, was laid over.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 980** (Fiscal Note), begs leave to report it has been **furnished an updated fiscal note and does not require fiscal review**.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE RESOLUTION

Representative Bruns offered House Resolution No. 745.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 732

through

House Resolution No. 740 - Representative Rupp, et al

House Resolution No. 741 - Representative Carnahan

House Resolution No. 742

and

House Resolution No. 743 - Representative Wilson (119)

House Resolution No. 744 - Representative Willoughby, et al

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 54, introduced by Representative Taylor, relating to bingo.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1557, introduced by Representative Shoemyer, relating to the child support insurance act.

HB 1558, introduced by Representatives Shoemyer, Seigfreid, Henke, Witte, Barnitz, Hampton, McKenna, Davis (122), Bringer, Swinger, Kuessner and Page, relating to a health benefit purchasing cooperative pilot project.

HB 1559, introduced by Representative Bringer, relating to vehicle lights.

HB 1560, introduced by Representative Bringer, relating to central dispatching for emergency services.

HB 1561, introduced by Representatives Bringer, Kuessner, Shoemyer, Abel, Hampton, Seigfreid, Barnitz, Hoskins, Yaeger, Smith (118), Schlottach and Donnelly, relating to county administrative service fees.

HB 1562, introduced by Representatives Smith (14), Schneider, Yates, Whorton, Sander, Darrough, Cooper (155), Zweifel, Parker, Meadows, Burnett, Bivins, Willoughby, Young, Smith (118), Pearce, McKenna, Johnson (61) and Abel, relating to senior citizens property tax relief.

HB 1563, introduced by Representatives Schoemehl, Johnson (90), Donnelly, Selby, Hampton, Darrough, Zweifel, Corcoran, Johnson (61), Haywood, Sanders Brooks, Jones, Bishop, Spreng, Walker, Bringer, Witte, Swinger, Jolly, Barnitz, Walton, Kratky, LeVota, Burnett, Wildberger, Daus, Villa, Whorton, Lowe, Vogt, Muckler, Curls, Bland, Hoskins, Willoughby, Ransdall, Davis (122), Fraser, Page, Shoemyer, Meadows, Wagner, Kuessner, Henke, Wilson (42), George, McKenna, Hilgemann, Dougherty, Kelly (36), Meiners, Yaeger, Skaggs, Ward, Harris (23), Green, Harris (110), Walsh, Hubbard, Graham, Abel, Jetton and Campbell, relating to reporting requirements of hospitals.

HB 1564, introduced by Representative Taylor, relating to the collection of taxes.

THIRD READING OF SENATE BILL

SCS SB 1003, relating to children's mental health, was taken up by Representative Bean.

On motion of Representative Bean, **SCS SB 1003** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 155	Corcoran	Crawford	Crowell

Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kuessner	Lager	Lawson
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Cooper 120	Jetton	Kratky	Lembke
Muckler	Walton			

Speaker Hanaway declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HBs 946, 1106 & 952, as amended, with Part IV, Part V, Part VI, as amended, and Part VII, pending, relating to transportation, was again taken up by Representative Crawford.

Representative Shoemaker offered **House Amendment No. 1 to Part IV.**

House Amendment No. 1

AMEND Part IV of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 9, Section 226.527, Line 33, by inserting after all of said line the following:

"226.611. 1. Notwithstanding any provision of law to the contrary, any business located in any county of the third or fourth classification may erect informational or on-premises signs on property adjacent to any state highway indicating the location of the business, provided that such signs are placed on the property on which the business is located or on any private property upon which the owner of the private property has given the

business permission to erect a sign. No sign erected under this section shall be larger than ten feet wide and six feet high. All costs of erecting the sign shall be paid by the business. Any business owner desiring to place a sign under this section shall apply for a permit to erect the sign from the county in which the sign is located, accompanied by a twenty-five dollar permit fee, and shall submit to the department of transportation a one hundred dollar inspection fee every two years from the date the application to erect the sign is received by the county. The signs shall be regularly maintained by the owner of the business, and the department of transportation or the governing body of the county in which the sign is located may inspect the signs on a regular basis to determine whether the sign is appropriately maintained.

2. No sign erected under this section in any zoned county shall be located in any area except those zoned commercial or industrial. Any sign erected under this section in any unzoned county shall be exempt from the requirement that the sign be within seven hundred fifty feet of a business or industrial activity area.

3. Any sign erected under this section shall be exempt from any spacing requirements adopted under this chapter.

4. Any sign erected under this section shall specify the distance to the business structure for which the sign is erected.

5. No sign erected under this section outside the boundaries of a city shall be more than ten miles from the business structure for which the sign is erected."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wallace resumed the Chair.

Representative Seigfreid offered **House Amendment No. 1 to House Amendment No. 1 to Part IV.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to Part IV of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 2, Section 226.611, Line 5, by inserting after said line the following:

"6. No business under this section shall be allowed more than two signs on any given roadway."

On motion of Representative Seigfreid, **House Amendment No. 1 to House Amendment No. 1 to Part IV** was adopted.

On motion of Representative Shoemaker, **House Amendment No. 1, as amended, to Part IV** was adopted.

Representative Skaggs offered **House Amendment No. 2 to Part IV.**

House Amendment No. 2

AMEND Part IV of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 9, Section 226.527, Line 33, by inserting after all of said line the following:

"226.532. 1. As used in this section the following terms shall mean:

(1) "Adult cabaret", a nightclub, bar, restaurant, or similar establishment in which persons appear in a state of nudity in the performance of their duties;

(2) "Sexually oriented business", any business which offers its patrons goods of which a substantial portion are sexually oriented materials. Any business where more than ten percent of display space is used for sexually oriented materials shall be presumed to be a sexually oriented business;

(3) "Sexually oriented materials", any textual, pictorial, or three dimensional material that depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse in a way which is patently offensive to the average person applying contemporary community standards with respect to what is suitable for minors.

2. No billboard or other exterior advertising sign for an adult cabaret or sexually oriented business shall be located within one mile of any state highway, except if such business is located within one mile of a state highway, then the business may display a maximum of two exterior signs on the premises of the business, consisting of one identification sign and one sign solely giving notice that the premises are off limits to minors. The identification sign shall be no more than forty square feet in size and shall include no more than the following information: name, street address, telephone number, and operating hours of the business.

3. Signs existing at the time of the adoption of this section, which do not conform to the requirements of this section, may be allowed to continue as a nonconforming use, but should be made to conform within three years from August 28, 2004.

4. No adult cabaret or sexually oriented business shall allow any person under twenty-one years of age to physically put up any of their advertising signs or billboards.

5. Any owner of such a business who violates any of the provisions of this section shall be guilty of a class C misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Curls offered **House Amendment No. 1 to House Amendment No. 2 to Part IV.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to Part IV of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 2, Section 226.532, Lines 20 through 22, by deleting all of said lines; and

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Curls, **House Amendment No. 1 to House Amendment No. 2 to Part IV** was adopted.

HCS HBs 946, 1106 & 952, as amended, with House Amendment No. 2, as amended, to Part IV, as amended, Part V, Part VI, as amended, and Part VII, pending, was laid over.

Speaker Hanaway resumed the Chair.

SPECIAL RECOGNITION

The Helias Lady Crusaders Softball Team was introduced by Representatives Bruns and Deeken and recognized for attaining First Place in the 2003 Missouri State High School Activities Association Class 4 State Softball Championship.

Representative Wallace resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HBs 946, 1106 & 952, as amended, with House Amendment No. 2, as amended, to Part IV, as amended, Part V, Part VI, as amended, and Part VII, pending, was again taken up by Representative Crawford.

On motion of Representative Skaggs, **House Amendment No. 2, as amended, to Part IV** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 3 to Part IV.**

House Amendment No. 3

AMEND Part IV of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 9, Section 226.527, Lines 22 through 33, by deleting all of said lines and adjusting title and enacting clauses accordingly.

Representative Riback Wilson (25) moved that **House Amendment No. 3 to Part IV** be adopted.

Which motion was defeated.

On motion of Representative Crawford, **Part IV of HCS HBs 946, 1106 & 952, as amended,** was adopted.

On motion of Representative Crawford, **Part V of HCS HBs 946, 1106 & 952** was adopted.

Representative Lipke offered **House Amendment No. 1 to Part VI.**

House Amendment No. 1

AMEND Part VI of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 10, Section 227.349, Line 3, by inserting after all of said line the following:

"227.352. The portion of state route 51 in Perry County from interstate highway 55 to U.S. Highway 61 shall be designated the "Thomas G. Tucker, Jr. Memorial Highway"."; and

Further amend bill in the title, enacting clause and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 1 to Part VI** was adopted.

Representative Graham offered **House Amendment No. 2 to Part VI.**

House Amendment No. 2

AMEND Part VI of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 10, Section 227.120, Line 49, by inserting after all of said line the following:

"227.346. The portion of Interstate Highway 70 between mile marker 69 in any county of the fourth classification with more than twenty-three thousand seven hundred but less than twenty-three thousand eight

hundred inhabitants and east to mile marker 123 in any county of the first classification with more than one hundred thirty-five thousand five hundred inhabitants, except where otherwise designated, shall be designated the “U.S. Submarine Veterans’ Memorial Highway”, and shall represent in its fifty-four mile stretch the fifty-four submarines lost during war and the Cold War. The department of transportation shall erect and maintain appropriate signs designating such highway, with the cost of such signs to be paid by the submarine veterans’ association.”; and

Further amend said bill in the title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 2 to Part VI** was adopted.

Representative Page offered **House Amendment No. 3 to Part VI**.

House Amendment No. 3

AMEND Part VI of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 10, Section 227.349, Line 1, by inserting before all of said line the following:

“227.332. The portion of Missouri route 364 in St. Louis County from interstate highway 270 to the crossing of the Missouri River, known as the Veterans’ Memorial Bridge, shall be designated the “Buzz Westfall Memorial Highway.” The Buzz Westfall Memorial Highway shall not include any portion of the Veterans’ Memorial Bridge.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 3 to Part VI** was adopted.

Representative Ward offered **House Amendment No. 4 to Part VI**.

Representative Crawford raised a point of order that **House Amendment No. 4 to Part VI** goes beyond the scope of the bill.

Representative Wallace requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Richard offered **House Amendment No. 5 to Part VI**.

House Amendment No. 5

AMEND Part VI of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 17, Section 301.010, Line 241, by inserting after said line the following:

“Section 1. The portion of U.S. 249 by pass in Jasper County from Newman road to U.S. 171 be designated the “Earl Carr Memorial Highway”. The cost of all signing shall be paid by the city of Joplin.”.

On motion of Representative Richard, **House Amendment No. 5 to Part VI** was adopted.

Representative Wilson (130) offered **House Amendment No. 6 to Part VI**.

House Amendment No. 6

AMEND Part VI of House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 17, Section 301.010, Line 241, by inserting after said line the following:

"Section 2. The portion of U.S. 71 from Iris road to state highway 86 in Newton county shall be designated the "James W. Minton, Jr. Memorial Highway"."

On motion of Representative Wilson (130), **House Amendment No. 6 to Part VI** was adopted.

On motion of Representative Crawford, **Part VI of HCS HBs 946, 1106 & 952, as amended**, was adopted.

On motion of Representative Crawford, **Part VII of HCS HBs 946, 1106 & 952** was adopted.

HCS HBs 946, 1106 & 952, as amended, was laid over.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 33 - Rules

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SJR 44**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(b) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to transportation.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 730**, entitled:

An act to amend chapter 137, RSMo, by adding thereto twenty-seven new sections relating to a homestead exemption for the elderly, with an effective date and sunset provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1080**, entitled:

An act to repeal sections 160.518, 160.538 and 160.720, RSMo, and to enact in lieu thereof two new sections relating to education accountability standards.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1099**, entitled:

An act to repeal sections 21.810, 32.057, 620.014, 620.017, and 620.1300, RSMo, and to enact in lieu thereof fourteen new sections relating to tax credits, with penalty provisions.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Kratky and Muckler.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, February 25, 2004.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 26, 2004, 8:30 a.m. Hearing Room 1.

Executive session may follow. House Administration & Accounts Committee Resolution #10 and House Administration & Accounts Committee Resolution #11.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 25, 2004, 2:30 p.m. Hearing Room 4.

Mark up for the Department of Agriculture.

APPROPRIATIONS - EDUCATION

Wednesday, February 25, 2004, 3:00 p.m. Hearing Room 1.

CANCELLED

Mark up will be held on: HB 1003

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 25, 2004, 2:45 p.m. Hearing Room 7.

Public hearings to be held on: HB 1001, HB 1004, HB 1005, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 26, 2004, 8:00 a.m. Hearing Room 7.

Mark up will be held on: HB 1001, HB 1004, HB 1005, HB 1012

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 25, 2004, 2:30 p.m. Hearing Room 6.

Mark up Department of Public Safety and the Department of Corrections. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 26, 2004, Hearing Room 6 upon morning adjournment.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 25, 2004, 2:30 p.m. Hearing Room 5.

Mark up Department of Economic Development.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 5.

Mark up Department of Economic Development.

BUDGET

Wednesday, February 25, 2004, 8:00 a.m. Hearing Room 3.

Public hearings to be held on: HJR 49

Executive session will be held on: HB 1014

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 956, HB 1187

CORRECTIONS AND STATE INSTITUTIONS

Wednesday, February 25, 2004, Hearing Room 7 upon evening adjournment or 5:00 p.m.

Executive session to follow.

Public hearings to be held on: HB 896, HCR 14

EDUCATION

Wednesday, February 25, 2004, 5:00 p.m. Hearing Room 3.

Executive session.

Public hearings to be held on: HB 941, HB 1173, HB 1322

HEALTH CARE POLICY

Wednesday, February 25, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1423

Executive session will be held on: HB 1423

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 1426, HB 1421, HB 1370

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.
Report from the Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, State leasing practices.
Any other business.

JUDICIARY

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 1.
Executive session on other bills may follow.
Public hearings to be held on: HB 1188, HB 1350, HB 808, HB 1384, HB 1336, HB 965, HB 870, HB 1143, HB 798
Executive session will be held on: HB 1115

LOCAL GOVERNMENT

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 6.
Executive session shall follow. AMENDED
Public hearings to be held on: HB 824, HB 972, HB 1225, HB 1398, HB 1471

LOCAL GOVERNMENT

Monday, March 1, 2004, 3:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 942, HB 1104, HB 1206, HB 1377

RULES

Thursday, February 26, 2004, 8:30 a.m. Hearing Room 5.
Executive session may follow.

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 25, 2004, 8:00 a.m. Hearing Room 5.
Executive session will follow.
Public hearings to be held on: HB 1347, HB 1402, HB 1411

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 7.
Public hearings to be held on: HB 995, HB 996, HB 1366, HB 1405, HB 976, HB 977, SCS SBs 1144, 919 & 874
Executive session may be held on: HB 1167, HB 1114, HB 937, HB 1080, HB 770, HB 1109, HB 883, HB 1317, HB 1118, HB 1142, HB 1259, HB 1288, HB 1439

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 25, 2004, 12:00 p.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 1478, SB 932

HOUSE CALENDAR

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 25, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 54

HOUSE BILLS FOR SECOND READING

HB 1552 through HB 1564

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 946, 1106 & 952, as amended - Crawford (117)
- 2 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 3 HCS HB 1041, as amended - Cunningham (86)
- 4 HCS HB 978 - Baker (123)
- 5 HCS HB 1380 - Lager (4)
- 6 HCS HB 1304 - Byrd (94)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/23/04)

- 1 HB 801 - Smith (118)
- 2 HCS HB 895 - Emery (126)
- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989 - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071 - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980 - Myers (160)
- 2 HS HCS HB 1268 & 1211, E.C. - Smith (118)

SENATE JOINT RESOLUTION FOR SECOND READING

SCS SJR 44

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 730
- 2 SB 1080
- 3 SS SCS SB 1099

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 25, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we trust Your Word, which says, "How much better to get wisdom than gold, and knowledge than silver!" We celebrate the changeless things that surround our lives: wisdom, knowledge, commitment and discernment. Help us to pursue these as a way of life.

May we never take for granted changing seasons, which remind us of the constancy of Your own presence and restoring power, Your mercies which are new every morning, and the freedom we have to engage in spirited deliberations.

We give thanks for all these things.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Curtis Bramblett, Eric Greenwald, Brendan McGregor, Brittany Godbout, Sarah Hirner and Steffani Lane.

The Journal of the twenty-seventh day was approved as printed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery

Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Boykins	Brooks	Bruns	Holand
Lawson	Meiners	Shoemyer	Ward	

HOUSE RESOLUTION

Representative St. Onge, et al offered House Resolution No. 756.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 746	-	Representative Engler
House Resolution No. 747	-	Representative Munzlinger
House Resolution No. 748	-	Representative Moore
House Resolution No. 749	-	Representative Deeken
House Resolution No. 750	-	Representative Reinhart
House Resolution No. 751	-	Representative Hoskins
House Resolution No. 752	-	Representative Smith (118)
House Resolution No. 753	-	Representative Swinger
House Resolution No. 754		
and		
House Resolution No. 755	-	Representatives Harris (110) and Kuessner
House Resolution No. 757	-	Representative Baker
House Resolution No. 758	-	Representative Wilson (119)
House Resolution No. 759	-	Representative Holand

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1565, introduced by Representatives Crawford and Barnitz, relating to the county sheriff's revolving fund.

HB 1566, introduced by Representatives Stefanick and Bearden, relating to medical assistance.

HB 1567, introduced by Representatives Townley, Kuessner, Schlottach, Taylor, Dethrow, Wilson (130), Hobbs, Brown, Guest, Barnitz, Seigfreid, Mayer, Cunningham (145), Ransdall, Emery, Wilson (119), Shoemaker, Purgason, Angst, Engler, May, Self and Kelly (144), relating to excavation activities of noncommercial operators.

HB 1568, introduced by Representative Zweifel, relating to right-of-way at intersections.

HB 1569, introduced by Representatives Kingery, Bean, Myers, King and Dethrow, relating to state employment positions for certain elected officials.

HB 1570, introduced by Representatives Stefanick, Pearce, Cooper (155), Portwood, Nieves, Hobbs, Seigfreid, Stevenson, Schaaf, Harris (23), Page, Jones and Sager, relating to provider contracts with health carriers.

HB 1571, introduced by Representatives Wallace, Portwood, Cunningham (86), Baker, Bough, Ervin, Young, Stefanick, Taylor, Reinhart, Hobbs, Morris, Whorton, Myers, Kingery, Shoemaker, Angst, Crowell, Viebrock, Schneider, Goodman, Hunter, Hampton, Corcoran, Davis (122), Bishop, Holand, Kuessner, Swinger, Shoemyer, Witte, Sander, King, Bean, Threlkeld and Mayer, relating to installment payments of property taxes.

HB 1572, introduced by Representatives St. Onge, Wasson, Nieves, Dougherty, Baker, Angst, Parker, Bland, Seigfreid, Kuessner, Darrough, Zweifel, Skaggs and Cunningham (145), relating to reciprocity of certification procedures for certain vendors.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 54 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1552 through **HB 1564** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SCS SJR 44 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 730, SB 1080 and **SS SCS SB 1099** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 946, 1106 & 952, as amended, relating to transportation, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HBs 946, 1106 & 952, as amended**, was ordered perfected and printed.

HCS HB 1041, as amended, relating to school personnel, was taken up by Representative Cunningham (86).

Representative George offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1041, Page 3, Section 168.126, Line 49, by inserting immediately at the end of said line, the following:

“168.710. For the purposes of sections 168.710 to 168.716, the following terms mean:

(1) “Board”, the board of education of the school district;

(2) “Employee”, any person hired by a school district except certificated teachers, superintendents, and principals;

(3) “School district”, any urban or seven-director school district.

168.712. 1. All employees of a school district shall be appointed and promoted pursuant to rules and regulations adopted by the board. Such rules and regulations shall be consistent with the provisions of sections 168.710 to 168.716.

2. All employees shall be appointed by examination and promoted by length and character of service. Examinations shall be pursuant to rules and regulations adopted by the board.

168.714. The board shall adopt, by rule, a probationary period for all employees. During the probationary period, any probationary employee whose work is found to be unsatisfactory shall be furnished a written statement by the immediate supervisor of the employee, setting forth the nature of the unsatisfactory work and a copy shall be filed in the employee’s personnel file. If improvement satisfactory to the immediate supervisor is not made within one month after the receipt of the statement, the probationary employee shall be discharged.

168.716. All permanent employees shall receive the same due process for removal afforded to certificated teachers.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wood assumed the Chair.

Representative George moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Skaggs offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1041, Page 5, Section 302.272, Line 66, by inserting after said line the following:

“Section 1. The department of elementary and secondary education shall not reimburse a school district for more than one A+ program coordinator.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 7** was adopted.

Representative Hilgemann offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1041, Page 1, Section 162.032, Line 9, by inserting after all of said line the following:

"167.031. 1. Every parent, guardian or other person in this state having charge, control or custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance in a combination of such schools and between the ages of seven [and sixteen] years **and the compulsory attendance age for the district** is responsible for enrolling the child in a program of academic instruction which complies with subsection 2 of this section. Any parent, guardian or other person who enrolls a child between the ages of five and seven years in a public school program of academic instruction shall cause such child to attend the academic program on a regular basis, according to this section. Nonattendance by such child shall cause such parent, guardian or other responsible person to be in violation of the provisions of section 167.061, except as provided by this section. A parent, guardian or other person in this state having charge, control, or custody of a child between the ages of seven [and sixteen] years of age **and the compulsory attendance age for the district** shall cause the child to attend regularly some public, private, parochial, parish, home school or a combination of such schools not less than the entire school term of the school which the child attends; except that

(1) A child who, to the satisfaction of the superintendent of public schools of the district in which he resides, or if there is no superintendent then the chief school officer, is determined to be mentally or physically incapacitated may be excused from attendance at school for the full time required, or any part thereof;

(2) A child between fourteen [and sixteen] years of age **and the compulsory attendance age for the district** may be excused from attendance at school for the full time required, or any part thereof, by the superintendent of public schools of the district, or if there is none then by a court of competent jurisdiction, when legal employment has been obtained by the child and found to be desirable, and after the parents or guardian of the child have been advised of the pending action; or

(3) A child between five and seven years of age shall be excused from attendance at school if a parent, guardian or other person having charge, control or custody of the child makes a written request that the child be dropped from the school's rolls.

2. (1) As used in sections 167.031 to 167.071, a "home school" is a school, whether incorporated or unincorporated, that:

(a) Has as its primary purpose the provision of private or religious-based instruction;

(b) Enrolls pupils between the ages of seven [and sixteen] years **and the compulsory attendance age for the district**, of which no more than four are unrelated by affinity or consanguinity in the third degree; and

(c) Does not charge or receive consideration in the form of tuition, fees, or other remuneration in a genuine and fair exchange for provision of instruction;

(2) As evidence that a child is receiving regular instruction, the parent shall, **except as otherwise provided in this subsection:**

(a) Maintain the following records:

a. A plan book, diary, or other written record indicating subjects taught and activities engaged in; and

b. A portfolio of samples of the child's academic work; and

- c. A record of evaluations of the child's academic progress; or
- d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and

(b) Offer at least one thousand hours of instruction, at least six hundred hours of which will be in reading, language arts, mathematics, social studies and science or academic courses that are related to the aforementioned subject areas and consonant with the pupil's age and ability. At least four hundred of the six hundred hours shall occur at the regular home school location;

_____ (3) The requirements of subdivision (2) of this subsection shall not apply to any pupil above the age of sixteen years.

3. Nothing in this section shall require a private, parochial, parish or home school to include in its curriculum any concept, topic, or practice in conflict with the school's religious doctrines or to exclude from its curriculum any concept, topic, or practice consistent with the school's religious doctrines. Any other provision of the law to the contrary notwithstanding, all departments or agencies of the state of Missouri shall be prohibited from dictating through rule, regulation or other device any statewide curriculum for private, parochial, parish or home schools.

4. A school year begins on the first day of July and ends on the thirtieth day of June following.

5. The production by a parent of a daily log showing that a home school has a course of instruction which satisfies the requirements of this section **or, in the case of a pupil over the age of sixteen years who attended a metropolitan school district the previous year, a written statement that the pupil is attending home school in compliance with this section** shall be a defense to any prosecution under this section and to any charge or action for educational neglect brought pursuant to chapter 210, RSMo.

6. As used in sections 167.031 to 167.051, the term "compulsory attendance age for the district" shall mean:

(1) Seventeen years of age for any metropolitan school district for which the school board adopts a resolution to establish such compulsory attendance age; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted; and

(2) Sixteen years of age in all other cases.

The school board of a metropolitan school district for which the compulsory attendance age is seventeen years may adopt a resolution to lower the compulsory attendance age to sixteen years; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted.

167.051. 1. If a school board establishes part-time schools or classes for children under [sixteen] **seventeen** years of age, lawfully engaged in any regular employment, every parent, guardian or other person having charge, control or custody of such a child shall cause the child to attend the school not less than four hours a week between the hours of eight o'clock in the morning and five o'clock in the evening during the school year of the part-time classes.

2. All children who are under eighteen years of age, who have not completed the elementary school course in the public schools of Missouri, or its equivalent, and who are not attending regularly any day school shall be required to attend regularly the part-time classes not less than four hours a week between the hours of eight o'clock in the morning and five o'clock in the afternoon during the entire year of the part-time classes."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hilgemann moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Baker	Bishop	Bivins	Bland	Boykins
Brooks	Byrd	Campbell	Carnahan	Corcoran
Cunningham 86	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fares	Fraser	George
Graham	Green	Hampton	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36

Kratky	Liese	Lowe	McKenna	Meadows
Muckler	Page	Parker	Ransdall	Rupp
Sager	Sander	Schneider	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Thompson	Villa
Vogt	Walker	Walsh	Walton	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel	Madam Speaker	

NOES: 084

Angst	Barnitz	Bean	Bearden	Behnen
Black	Bough	Bringer	Brown	Bruns
Burnett	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Goodman	Guest	Harris 110	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Kelly 144	Kingery	Kuessner	Lager	Lembke
LeVota	Lipke	Luetkemeyer	Mayer	Miller
Moore	Morris	Munzlinger	Nieves	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Schaaf	Schlottach	Seigfreid	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Threlkeld	Townley
Viebrock	Wagner	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	

PRESENT: 001

Salva

ABSENT WITH LEAVE: 009

Abel	Avery	King	Lawson	Marsh
May	Meiners	Myers	Ward	

Representative Purgason offered **House Amendment No. 9**.

House Amendment No. 9 was withdrawn.

Representative Willoughby offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 1041, Page 2, Section 167.166, Line 6, by inserting after all of said line the following:

“2. No employee of or volunteer in a public school or charter school shall direct a student to remove a religious emblem, insignia, or garment, as long as such emblem, insignia, or garment is worn in a manner that does not promote disruptive behavior.”; and

Further amend said page, Section 167.166, Line 7, by renumbering “2.” as “3.”.

Representative Yates offered **House Substitute Amendment No. 1 for House Amendment No. 10.**

*House Substitute Amendment No. 1
for
House Amendment No. 10*

AMEND House Committee Substitute for House Bill No. 1041, Page 2, Section 167.166, Line 6, by inserting after all of said line the following:

“2. No employee of or volunteer in or school board member of or school district administrator of a public school or charter school shall direct a student to remove a religious emblem, insignia, or garment, as long as such emblem, insignia, or garment is worn in a manner that does not promote disruptive behavior, whether it be during school hours or during extra-curricular activities.”; and

Further amend said page, Section 167.166, Line 7, by renumbering “2.” as “3.”.

HCS HB 1041, as amended, with House Substitute Amendment No. 1 for House Amendment No. 10, and House Amendment No. 10, pending, was laid over.

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1209**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1055**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Elections, Chairman May reporting:

Madam Speaker: Your Committee on Elections, to which was referred **HB 962**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 938**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 841**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 947**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 975**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1047**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1275**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 998** and **HB 905**, begs leave to report it has examined the same and recommends that the **House Committee Substitute do Pass by Consent**.

Committee on Tourism and Cultural Affairs, Chairman Marsh reporting:

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **HB 833**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **HB 1338**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Vogt is no longer a member of the Appropriations - Corrections and Public Safety Committee.

Representative Kuessner is no longer a member of the Crime Prevention and Public Safety Committee.

Representative Donnelly is no longer a member of the Senior Security Committee.

Representative Meadows has been appointed a member of the Appropriations - Corrections and Public Safety Committee, Crime Prevention and Public Safety Committee and Senior Security Committee.

MESSAGE FROM THE GOVERNOR

February 25, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
92ND GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Concurrent Resolution No. 5** entitled:

“AN ACT”

By concurrent resolution and pursuant to Article IV, Section 8, to disapprove the final order of rulemaking for the proposed amendment to 1 CSR 10-4.010 relating to State of Missouri Vendor Payroll Deductions.

I disapprove of **House Concurrent Resolution No. 5**. My reasons for disapproval are as follows:

House Concurrent Resolution No. 5 purports to permanently disapprove and suspend an amendment to 1 CSR 10-4.010, filed as an order of rulemaking. The rule amendment filed by the Office of Administration merely clarifies the state's ability to make vendor payroll deductions, including collecting fair share fees from state employees who are members of collective bargaining units and have authorized the deduction of such fees. HCR 5 purports to find the rule amendment in violation of the provisions of sections 536.014 (governing agency rulemaking authority) or 536.205 (governing fiscal notes associated with proposed rules), RSMo.

The rule amendment does not violate any provision of Missouri statute. Because the Office of Administration has rulemaking authority in this area, section 536.014 is satisfied. The Joint Committee has never taken issue with the Office of Administration's authority to promulgate rules including 1 CSR 10-4.010; instead it has only now acted to disapprove this narrow amendment. This action is logically and legally inconsistent: either the Office of Administration has authority to make rules concerning vendor payroll deduction, or it does not. Given the uncontroversial previous promulgation of CSR 10-4.010, as well as the provisions of Section 536.010, 536.023, 33.103, and 370.395 RSMo 2000 (as amended) the Office of Administration plainly has such authority.

Section 536.205, which requires a statement of expenses to be imposed by any rule which would cost private entities more than five hundred dollars, is also satisfied, because the rule amendment does not impose any private cost. The rule amendment only clarifies the ability of the Office of Administration to make certain vendor payroll deductions under specific circumstances. No actual fee is imposed on any private party by the rule amendment.

HCR 5 is misguided, both as a matter of procedure and as a matter of substance. Procedurally, HCR 5 reflects an inappropriate use of the Joint Committee on Administrative Rules, an entity established by executive order for the narrow purpose of reviewing agency rulemaking authority. The General Assembly has produced no legitimate question as to the legal authority of the Office of Administration to promulgate the rule amendment. Members of the General Assembly simply object to collective bargaining by state government employees and thus seek to block the mechanisms that make such bargaining possible. The General Assembly ought not to use the procedural mechanism of a resolution of disapproval to block a rule that its members only dislike on philosophical grounds.

I disagree with those who oppose collective bargaining rights for state employees. My administration has fought and will continue to fight tirelessly for the right of all working Missourians to have their voice heard by their

employers. All of society benefits when working people have a seat at the bargaining table. That is as true in the public sector as it is in the private sector.

Most Missouri state employees do not share the privileges and benefits accorded to their elected officials. Rather, the majority of our public servants do difficult and vital work, often for low pay and little recognition. As Governor, I have a responsibility to ensure that our hard-working state employees are treated fairly and equitably by their employer. An essential component of fair and equitable treatment is the right of workers to bargain collectively and negotiate on a level playing field. I am proud of our record in this area, and I will not tolerate efforts by the General Assembly or any other party to interfere with employees' right of representation. The fair allocation of the costs of such representation is a basic aspect of collective bargaining. The use of fair share fees, voluntarily agreed to by new state employees, is both appropriate and necessary to protect the right of self-representation.

For all of the above stated reasons for disapproval, I am returning **House Concurrent Resolution No. 5** without my approval.

Respectfully submitted,
/s/ Bob Holden
Governor

The following member's presence was noted: Lawson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, February 26, 2004.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 26, 2004, 8:30 a.m. Hearing Room 1.

Executive session may follow. House Administration & Accounts Committee Resolution #10 and House Administration & Accounts Committee Resolution #11.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Thursday, February 26, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Mark up will be held on: HB 1006

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 26, 2004, 8:00 a.m. Hearing Room 7.

Mark up will be held on: HB 1001, HB 1004, HB 1005, HB 1012

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 26, 2004, Hearing Room 6 upon morning adjournment.

Mark up Department of Public Safety and the Department of Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 5.

Mark up Department of Economic Development.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 26, 2004, Hearing Room 5 upon morning adjournment of both Chambers.

Report from the Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, State leasing practices.

Any other business.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 7.

First quarter meeting.

LOCAL GOVERNMENT

Thursday, February 26, 2004, 8:15 a.m. Hearing Room 6.

Executive session shall follow. AMENDED

Public hearings to be held on: HB 824, HB 972, HB 1225, HB 1398, HB 1471

LOCAL GOVERNMENT

Monday, March 1, 2004, 3:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 942, HB 1104, HB 1206, HB 1377

RULES

Thursday, February 26, 2004, 8:30 a.m. Hearing 4.

Executive session may follow. AMENDED

Public hearing to be held on: SCR 33

TAX POLICY

Thursday, February 26, 2004, House Chamber side gallery upon morning adjournment.

Executive session will be held on: HB 856, HB 1382, HB 1235

HOUSE CALENDAR

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 26, 2004

HOUSE BILLS FOR SECOND READING

HB 1565 through HB 1572

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1304 - Byrd (94)
- 6 HCS HB 1338 - Wood (62)
- 7 HB 841 - Angst (146)
- 8 HCS HB 1055 - Bruns (113)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/23/04)

- 1 HB 801 - Smith (118)
- 2 HCS HB 895 - Emery (126)
- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989 - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071 - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

(2/26/04)

- 1 HCS HB 833 - Luetkemeyer (115)
- 2 HB 938 - Luetkemeyer (115)
- 3 HCS HB 947 - Crawford (117)
- 4 HB 962 - May (149)
- 5 HB 975 - Johnson (47)
- 6 HCS HB 998 & 905 - Sutherland (99)
- 7 HB 1047 - Guest (5)
- 8 HCS HB 1209 - Jetton (156)
- 9 HB 1275 - Wilson (130)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 980 - Myers (160)
- 2 HS HCS HB 1268 & 1211, E.C. - Smith (118)
- 3 HCS HB 946, 1106 & 952, E.C. - Crawford (117)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 26, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Gary Shaw, Joplin, Missouri.

Father God, it is always a privileged pleasure to come into Your presence.

I thank You today for this beautiful building that stands as a testimony of freedom to the people of Missouri.

I thank You for these men and women who have designated a portion of their lives to serve this great state of ours. Please bless them with wisdom today, as they conduct the business of our state.

I thank You for them and their willingness to serve.

In Christ's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-eighth day was approved as corrected by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman

Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 002

Sager Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bivins	Boykins	Jackson	King
Marsh	Reinhart	Rupp	Taylor	Wagner
Ward				

HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 796.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 760

and

House Resolution No. 761 - Representative Goodman

House Resolution No. 762 - Representative Bland

House Resolution No. 763

and

House Resolution No. 764 - Representative Sager

House Resolution No. 765

and

House Resolution No. 766 - Representative Lager

House Resolution No. 767 - Representative Carnahan

House Resolution No. 768 - Representative Dethrow

House Resolution No. 769

through

House Resolution No. 782 - Representatives Lembke and Bivins

House Resolution No. 783

through

House Resolution No. 788 - Representative Lembke

House Resolution No. 789 - Representative Dixon

House Resolution No. 790 - Representative Pratt

House Resolution No. 791 - Representatives Pratt and Davis (122)

House Resolution No. 792 - Representative Lager

House Resolution No. 793
and
House Resolution No. 794 - Representative Crowell
House Resolution No. 795 - Representative Johnson (61)
House Resolution No. 797 - Representative Deeken
House Resolution No. 798 - Representative Smith (118)
House Resolution No. 799 - Representative Kelly (36)
House Resolution No. 800
through
House Resolution No. 803 - Representative Goodman
House Resolution No. 804 - Representative Campbell
House Resolution No. 805 - Representative Yaeger
House Resolution No. 806 - Representative Threlkeld
House Resolution No. 807
and
House Resolution No. 808 - Representative Phillips
House Resolution No. 809 - Representative Dixon
House Resolution No. 810 - Representative Pratt
House Resolution No. 811 - Representative Black
House Resolution No. 812 - Representative Brown

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1573, introduced by Representative Morris, relating to licensing.

HB 1574, introduced by Representatives Viebrock, Reinhart, Baker, Wilson (119), Deeken and Hanaway, relating to election offenses of the third and fourth classes.

HB 1575, introduced by Representative Mayer, for the sole purpose of the republication of sections 416.615 and 416.640.

HB 1576, introduced by Representative Mayer, relating to a petition for change of name.

HB 1577, introduced by Representative Mayer, relating to administrative segregation of offenders.

HB 1578, introduced by Representative Deeken, relating to certain powers of the Missouri commission on human rights.

HB 1579, introduced by Representatives Holand and Davis (122), relating to child support.

HB 1580, introduced by Representatives George, Johnson (90), McKenna, Spreng, Walsh, Lowe, Burnett, Dougherty, Schoemehl, Harris (23), Liese, Meiners, Zweifel, Abel, Meadows, Corcoran,

Wildberger, Daus, Wagner, Hubbard, Muckler, Vogt and Green, relating to prevailing wages on public works.

HB 1581, introduced by Representatives Zweifel, Donnelly, Swinger and Bishop, relating to any willing providers for health insurance.

HB 1582, introduced by Representatives Schlottach, Crawford, Threlkeld, Viebrock, Morris, Kelly (144), Deeken, Schneider, Richard, Dethrow, Jones, Kuessner, Green and Wilson (130), relating to motor vehicles.

HB 1583, introduced by Representatives Schlottach, Viebrock, Threlkeld, Morris, Deeken, Schneider, Richard, Dethrow, Jones, Kuessner, Green, Wilson (130) and Crawford, relating to motor vehicles.

HB 1584, introduced by Representatives Phillips, Brown, Skaggs, Dempsey and Roark, relating to unlawful use of weapons.

HB 1585, introduced by Representatives Brown, Phillips, Jolly, Nieves, Pearce, Quinn, Witte, Ervin, Lipke, Dougherty, Dusenberger, Pratt, Roark, Meiners and Wilson (119), relating to assault of a law enforcement officer or emergency personnel.

HB 1586, introduced by Representative Cooper (120), relating to sewerage systems.

HB 1587, introduced by Representatives Johnson (90), Zweifel, Bishop, Whorton, Sager, Darrough, Walker, Burnett, Harris (23), Harris (110), Carnahan, Donnelly, Willoughby, Shoemyer, Selby, Hampton, Corcoran, Haywood, Sanders Brooks, Jones, Swinger and Meadows, relating to the amendment of definitions regarding the telemarketing no-call list to further protect consumers.

HB 1588, introduced by Representative Byrd, relating to real estate licensees.

HB 1589, introduced by Representatives Hanaway, Graham, Byrd, St. Onge, Munzlinger, Campbell, Threlkeld, Dempsey, Parker, Shoemyer, Hobbs, Portwood, Deeken, Cooper (155), Walker, Harris (23) and Schaaf, relating to the University of Missouri system.

SECOND READING OF HOUSE BILLS

HB 1565 through **HB 1572** were read the second time.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SCS SB 1003** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS

HCS HBs 946, 1106 & 952, relating to transportation, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HBs 946, 1106 & 952** was read the third time and passed by the following vote:

AYES: 143

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Byrd	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 008

Burnett	Campbell	Daus	Johnson 47	Lowe
Villa	Vogt	Wilson 25		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 011

Avery	Bivins	Boykins	Hampton	Jackson
King	Marsh	Rupp	Taylor	Wagner
Ward				

Speaker Hanaway declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 095

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hampton	Hilgemann	Hobbs	Holand
Hunter	Ice	Jetton	Johnson 47	Jolly
Kelly 144	Kelly 36	Kingery	Lager	Lembke
Lipke	Lowe	Luetkemeyer	May	Mayer
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 052

Bishop	Bland	Bringer	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Green	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Johnson 61	Johnson 90
Jones	Kuessner	LeVota	Liese	McKenna
Meadows	Muckler	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Thompson	Villa
Vogt	Walker	Walsh	Walton	Whorton
Wildberger	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 002

Kratky Willoughby

ABSENT WITH LEAVE: 014

Avery	Bivins	Boykins	Graham	Jackson
King	Lawson	Marsh	Ransdall	Rupp
Sager	Taylor	Wagner	Ward	

Representative Crowell requested a verification of the roll call on the motion to adopt the emergency clause.

Speaker Pro Tem Jetton assumed the Chair.

Speaker Hanaway resumed the Chair.

HCS HB 980, relating to environmental rules, was taken up by Representative Myers.

On motion of Representative Myers, **HCS HB 980** was read the third time and passed by the following vote:

AYES: 105

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Black	Bough	Bringer
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hobbs	Holand
Hunter	Ice	Jetton	Johnson 47	Kelly 144
Kelly 36	Kingery	Kuessner	Lager	Lembke
Liese	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Salva
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Threlkeld
Townley	Viebrock	Wallace	Walton	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yates	Young	Madam Speaker

NOES: 045

Bishop	Bland	Brooks	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Graham
Green	Hilgemann	Hoskins	Hubbard	Johnson 90
Jolly	Jones	Kratky	LeVota	Lowe
McKenna	Meadows	Meiners	Muckler	Sager
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Walker	Walsh
Whorton	Wilson 25	Wilson 42	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Bivins	Boykins	Jackson	Johnson 61
King	Lawson	Marsh	Portwood	Rupp
Taylor	Wagner	Ward		

Speaker Hanaway declared the bill passed.

Representative Myers requested a verification of the roll call on the motion to third read and pass **HCS HB 980**.

Speaker Pro Tem Jetton resumed the Chair.

HS HCS HBs 1268 & 1211, relating to employees, was taken up by Representative Smith (118).

On motion of Representative Smith (118), **HS HCS HBs 1268 & 1211** was read the third time and passed by the following vote:

AYES: 083

Angst	Baker	Bean	Bearden	Behnen
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Icet	Jetton	Johnson 47	Kelly 144
Kingery	Lager	Lembke	Lipke	Luetkemeyer
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 067

Barnitz	Bishop	Bland	Bringer	Brooks
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Thompson	Villa	Vogt
Walker	Walsh	Walton	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Avery	Bivins	Boykins	Jackson
King	Lawson	Marsh	Rupp	Swinger
Taylor	Wagner	Ward		

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 022

Angst	Behnen	Bough	Cooper 155	Cunningham 145
Davis 19	Guest	Hunter	Jetton	Johnson 47
Miller	Parker	Portwood	Pratt	Richard
Roark	Smith 118	St. Onge	Sutherland	Wood
Wright	Yates			

NOES: 123

Baker	Barnitz	Bean	Bearden	Bishop
Black	Bland	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crowell	Cunningham 86	Curls	Darrough
Daus	Davis 122	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Ice
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Moore	Muckler	Munzlinger
Myers	Nieves	Page	Pearce	Phillips
Purgason	Quinn	Ransdall	Rector	Reinhart
Ruestman	Sager	Salva	Sander	Schaaf
Schneider	Schoemehl	Seigfreid	Selby	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	Stefanick
Stevenson	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel	Madam Speaker		

PRESENT: 001

Wallace

ABSENT WITH LEAVE: 017

Abel	Avery	Bivins	Boykins	Carnahan
Crawford	Jackson	King	Marsh	Morris
Rupp	Schlottach	Self	Swinger	Taylor
Wagner	Ward			

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 95 - Rules
HR 96 - Children and Families
HR 263 - Rules
HR 264 - Rules
HR 372 - Rules

HR 390 - Conservation and Natural Resources
HR 392 - Rules
HR 397 - Rules
HR 464 - Rules
HR 485 - Rules
HR 624 - Rules
HR 650 - Rules
HR 720 - Rules
HR 745 - Rules

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 30 - Judiciary
HJR 43 - Local Government
HJR 46 - Elections
HJR 51 - Transportation and Motor Vehicles
HJR 52 - Judiciary
HJR 54 - Tax Policy

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 865 - Education
HB 944 - Judiciary
HB 961 - Transportation and Motor Vehicles
HB 991 - Crime Prevention and Public Safety
HB 1028 - Health Care Policy
HB 1030 - Crime Prevention and Public Safety
HB 1121 - Local Government
HB 1123 - Transportation and Motor Vehicles
HB 1127 - Financial Services
HB 1140 - Local Government
HB 1141 - Health Care Policy
HB 1154 - Education
HB 1165 - Financial Services
HB 1217 - Retirement
HB 1218 - Retirement
HB 1258 - Crime Prevention and Public Safety
HB 1265 - Elections
HB 1299 - Tax Policy
HB 1306 - Tax Policy
HB 1340 - Communications, Energy and Technology

HB 1341 - Workforce Development and Workplace Safety
HB 1342 - Judiciary
HB 1345 - Crime Prevention and Public Safety
HB 1346 - Judiciary
HB 1352 - Transportation and Motor Vehicles
HB 1359 - Transportation and Motor Vehicles
HB 1361 - Communications, Energy and Technology
HB 1362 - Local Government
HB 1372 - Transportation and Motor Vehicles
HB 1373 - Budget
HB 1378 - Communications, Energy and Technology
HB 1379 - Crime Prevention and Public Safety
HB 1395 - Senior Security
HB 1410 - Judiciary
HB 1412 - Local Government
HB 1414 - Crime Prevention and Public Safety
HB 1417 - Education
HB 1418 - Crime Prevention and Public Safety
HB 1424 - Professional Registration and Licensing
HB 1425 - Professional Registration and Licensing
HB 1429 - Budget
HB 1432 - Agriculture
HB 1440 - Retirement
HB 1441 - Senior Security
HB 1443 - Workforce Development and Workplace Safety
HB 1445 - Local Government
HB 1446 - Local Government
HB 1455 - Conservation and Natural Resources
HB 1456 - Local Government
HB 1465 - Crime Prevention and Public Safety
HB 1468 - Transportation and Motor Vehicles
HB 1472 - Conservation and Natural Resources
HB 1473 - Transportation and Motor Vehicles
HB 1475 - Judiciary
HB 1481 - Children and Families
HB 1482 - Crime Prevention and Public Safety
HB 1483 - Financial Services
HB 1484 - Local Government
HB 1485 - Local Government
HB 1486 - Children and Families
HB 1488 - Budget
HB 1489 - Transportation and Motor Vehicles
HB 1490 - Crime Prevention and Public Safety
HB 1491 - Crime Prevention and Public Safety
HB 1492 - Budget

- HB 1493** - Communications, Energy and Technology
- HB 1495** - Financial Services
- HB 1496** - Workforce Development and Workplace Safety
- HB 1497** - Communications, Energy and Technology
- HB 1498** - Education
- HB 1499** - Transportation and Motor Vehicles
- HB 1500** - Crime Prevention and Public Safety
- HB 1501** - Budget
- HB 1502** - Retirement
- HB 1503** - Job Creation and Economic Development
- HB 1504** - Transportation and Motor Vehicles
- HB 1505** - Crime Prevention and Public Safety
- HB 1506** - Education
- HB 1507** - Agriculture
- HB 1509** - Financial Services
- HB 1511** - Judiciary
- HB 1512** - Homeland Security and Veterans Affairs
- HB 1513** - Education
- HB 1514** - Tax Policy
- HB 1515** - Crime Prevention and Public Safety
- HB 1516** - Local Government
- HB 1517** - Education
- HB 1518** - Retirement
- HB 1520** - Small Business
- HB 1521** - Judiciary
- HB 1523** - Agriculture
- HB 1524** - Local Government
- HB 1526** - Health Care Policy
- HB 1527** - Professional Registration and Licensing
- HB 1528** - Financial Services
- HB 1529** - Job Creation and Economic Development
- HB 1530** - Crime Prevention and Public Safety
- HB 1531** - Senior Security
- HB 1532** - Job Creation and Economic Development
- HB 1533** - Professional Registration and Licensing
- HB 1534** - Senior Security
- HB 1535** - Judiciary
- HB 1536** - Conservation and Natural Resources
- HB 1547** - Tourism and Cultural Affairs
- HB 1552** - Senior Security
- HB 1553** - Tourism and Cultural Affairs
- HB 1554** - Senior Security
- HB 1555** - Homeland Security and Veterans Affairs
- HB 1556** - Tourism and Cultural Affairs
- HB 1557** - Financial Services

HB 1558 - Financial Services
HB 1559 - Transportation and Motor Vehicles
HB 1560 - Local Government
HB 1561 - Local Government

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 44 - Transportation and Motor Vehicles

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 730 - Senior Security
SS SB 732 - Local Government
SB 951 - Local Government
SCS SB 952 - Local Government
SCS SB 980 - Judiciary
SS SB 1000 - Crime Prevention and Public Safety
SB 1012 - Tax Policy
SB 1080 - Education
SS SCS SB 1099 - Tax Policy

COMMITTEE REPORT

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1305**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 916**, entitled:

An act to repeal sections 570.223 and 575.120, RSMo, and to enact in lieu thereof three new sections relating to identity theft, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 32**.

SENATE CONCURRENT RESOLUTION NO. 32

WHEREAS, the teaching of universal themes such as honesty and integrity benefit the community as a whole by accomplishing change in ways that strengthen, support, and reflect the local community's values; and

WHEREAS, having good character demonstrates understanding, caring, and acting upon core ethical values such as honesty, respect and responsibility and is an essential attribute of a successful individual; and

WHEREAS, schools that reach out to families and include them in character-building efforts greatly enhance their chances for success with students; and

WHEREAS, traits such as kindness and caring, respect and responsibility, fairness and honesty are critical to the overall health and safety of a school; and

WHEREAS, a school must be a caring community which motivates and challenges students to have good moral character and requires moral leadership from both staff and students; and

WHEREAS, polls have shown that 90% of those surveyed support the teaching of values, like responsibility, respect, courage, and caring in schools; and

WHEREAS, in 1988, CHARACTER*plus*, a statewide collaborative effort that reaches more than 600 schools, 25,000 teachers, and 300,000 students, and based on a grass-roots community project in the St. Louis region, was established in Missouri by parents, educators, and business leaders and is now our nation's largest community-wide response to the challenges of character education; and

WHEREAS, in accordance with the Missouri School Improvement Program (MSIP) Standard 6.5, a comprehensive intentional character education process helps schools create a positive climate for learning and promotes teacher and administrative responsibility; and

WHEREAS, in accordance with the MSIP Standard 6.6, a comprehensive intentional character education process provides the strategy to promote and maintain orderliness in schools and creates a safe environment; and

WHEREAS, in accordance with MSIP Standard 6.6, the CHARACTER*plus* process provides an assessment tool that gathers data, provides comprehensive and comparative data reports, and furnishes consultation for analyzing and setting up a yearly plan to modify and improve programs and strategies; and

WHEREAS, in accordance with MSIP Standard 6.7, the CHARACTER*plus* process provides professional development for school character education teams and for the entire school staff as an integral part of the character education process; and

WHEREAS, the principles taught by the CHARACTER*plus* process are consistent with "Goal 4" of the Show-Me Standards, as approved by the Missouri State Board of Education on January 18, 1996, which states, "Students in Missouri public schools will acquire the knowledge and skills to make decisions and act as responsible members of society"; and

WHEREAS, at least fourteen states have passed legislation requiring character education be taught in schools, while an additional fourteen states encourage the teaching of character education; and

WHEREAS, character education initiatives in Missouri have received support from the U.S. Department of Education in the form of federal grants to our schools to support local character education efforts as has the State of Missouri;

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby challenge each school district in our state to develop a character education process that involves school, home, and community, and if they

already have such a process in place, reevaluate such process in order to make certain the resources that best benefit the students of this state are being utilized; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of the Department of Elementary and Secondary Education; and

BE IT FURTHER RESOLVED that the Commissioner of the Department of Elementary and Secondary Education be instructed to copy this resolution and distribute one to each school district for distribution to its school board members.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 35**, entitled:

SENATE CONCURRENT RESOLUTION NO. 35

Relating to the renaming of a building at the Southeast Missouri Mental Health Center.

WHEREAS, the Southeast Missouri Mental Health Center is located near Farmington, Missouri; and

WHEREAS, the Center Building of the Southeast Missouri Mental Health Center has a bed capacity of one hundred eighty-six beds, plus forty beds in five adjacent group homes; and

WHEREAS, Southeast Missouri Mental Health Center maintains an Acute and Intermediate Care Unit and a Forensic Services Unit to provide a client environment that includes interdisciplinary treatment in the areas of psychiatry, psychiatric nursing, patient and family education, work therapy, a group home program, an interactive computer system, a fitness center and other services; and

WHEREAS, Danny Staples was a member of the House of Representatives for six years and a state Senator for twenty years representing the citizens of his district; and

WHEREAS, former Senator Danny Staples was a leader and instrumental in furthering the development of the Southeast Missouri Mental Health Center which provides treatment and care in the state of Missouri; and

WHEREAS, because of Senator Staples' efforts, the Southeast Missouri Mental Health Center is the modern treatment center that it is today; and

WHEREAS, Senator Staples deserves permanent recognition of his work on behalf of mental health treatment and care in the state of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate that the Center Building at the Southeast Missouri Mental Health Center at Farmington in St. Genevieve County shall hereinafter be known as the "Danny Staples Building"; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution, and if approved, notify the Director of the Missouri Department of Mental Health.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 781**, entitled:

An act to repeal section 491.205, RSMo, and to enact in lieu thereof one new section relating to witness immunity applications.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 808**, entitled:

An act to amend chapter 640, RSMo, by adding thereto one new section relating to the establishment of the Missouri biomass technology commission, with an expiration date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1052**, entitled:

An act to repeal section 172.360, RSMo, and to enact in lieu thereof one new section relating to admission to the state university of Missouri system.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1075**, entitled:

An act to authorize the sale of certain state property.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1100**, entitled:

An act to repeal sections 536.015, 536.021, 536.023, and 536.031, RSMo, and to enact in lieu thereof four new sections relating to the publication of administrative rules.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, March 1, 2004.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-seventh Day, Tuesday, February 24, 2004, Page 410, Line 3, by inserting immediately after the word “**thousand**”, the following: “**four hundred but less than one hundred thirty-five thousand**”.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 2, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HCR 10, SS SCR 26

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, March 1, 2004, 1:00 p.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Possible mark up.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, March 2, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

Possible mark up.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

Possible mark up.

BUDGET

Wednesday, March 3, 2004, 8:00 a.m. Hearing Room 3.

Executive session will be held on: HB 1014, HJR 49

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 933, HB 1433, HB 1383

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 2, 2004, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1436, HB 1274, HB 788, HB 1330, HB 787

ELECTIONS

Tuesday, March 2, 2004, 5:00 p.m. Hearing Room 7.

Executive session will precede the hearing.

Public hearings to be held on: HB 1494, HJR 29

Executive session will be held on: HB 988, HB 1101, HB 1092

FINANCIAL SERVICES

Tuesday, March 2, 2004, 12:00 p.m. Hearing Room 6.

Possible Executive session.

Public hearings to be held on: HB 1253, HB 1090, HB 1232, HB 1233

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, March 2, 2004, 5:00 p.m. Hearing Room 5.

Executive session will be held on: HB 1226, HB 1152, HB 1381

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 7.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

LOCAL GOVERNMENT

Monday, March 1, 2004, 3:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 942, HB 1104, HB 1206, HB 1377

SUBCOMMITTEE ON COMPETITION AND PRIVATIZATION ON LEGISLATIVE RESEARCH

Thursday, March 4, 2004, Senate Lounge upon subsequent adjournment or 1:00 p.m.

Results of Competition/Privatization follow up questionnaire.

Presentation of Privatization by private groups.

Future committee meeting dates and locations and any other business .

TAX POLICY

Tuesday, March 2, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1210, HB 1099, HB 859, HB 1309

HOUSE CALENDAR

THIRTIETH DAY, MONDAY, MARCH 1, 2004

HOUSE BILLS FOR SECOND READING

HB 1573 through HB 1589

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1304 - Byrd (94)
- 6 HCS HB 1338 - Wood (62)
- 7 HB 841 - Angst (146)
- 8 HCS HB 1055 - Bruns (113)
- 9 HCS HB 1305 - Byrd (94)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/23/04)

- 1 HB 801 - Smith (118)
- 2 HCS HB 895 - Emery (126)
- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989 - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071 - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

(2/26/04)

- 1 HCS HB 833 - Luetkemeyer (115)
- 2 HB 938 - Luetkemeyer (115)
- 3 HCS HB 947 - Crawford (117)
- 4 HB 962 - May (149)
- 5 HB 975 - Johnson (47)
- 6 HCS HB 998 & 905 - Sutherland (99)
- 7 HB 1047 - Guest (5)
- 8 HCS HB 1209 - Jetton (156)
- 9 HB 1275 - Wilson (130)

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCR 35

SENATE BILLS FOR SECOND READING

- 1 SB 781
- 2 SB 808
- 3 SB 1052
- 4 SCS SB 1075
- 5 SCS SB 1100

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 916 - Brown (30)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTIETH DAY, MONDAY, MARCH 1, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, "When pride comes, then comes dishonor, but with the humble there is wisdom." Therefore we choose to live our lives humbly before You, rejecting pride at every opportunity.

Help us to retain this truth in our hearts: It is better to be patient than powerful. It is better to win control over ourselves than over whole cities.

Grant us the peace and privilege to celebrate our accomplishments on behalf of those we serve and the insight to know that at the end of the day all praise is reserved, without exception, for You.

Now may Your grace rest and abide with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

Representative Stefanick assumed the Chair.

The Journal of the twenty-ninth day was approved as corrected by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bishop	Black	Bland	Bough	Bringer
Brooks	Bruns	Burnett	Byrd	Campbell
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna

Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 002

Sager Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bearden	Behnen	Bivins	Boykins
Brown	Carnahan	Guest	Holand	Taylor
Wasson				

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 813 - Representative Bishop, et al
- House Resolution No. 814
- and
- House Resolution No. 815 - Representatives Dusenberg and Pratt
- House Resolution No. 816 - Representative Hanaway
- House Resolution No. 817
- and
- House Resolution No. 818 - Representative Crawford
- House Resolution No. 819
- through
- House Resolution No. 850 - Representative Reinhart
- House Resolution No. 851 - Representative Walker
- House Resolution No. 852 - Representative Myers
- House Resolution No. 853 - Representative Brown
- House Resolution No. 854
- and
- House Resolution No. 855 - Representative Miller
- House Resolution No. 856 - Representative Jones
- House Resolution No. 857 - Representative Wilson (130)
- House Resolution No. 858 - Representative Skaggs
- House Resolution No. 859 - Representative Ward

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1590, introduced by Representatives Portwood and Lembke, relating to the manufacture and production of methamphetamine.

HB 1591, introduced by Representative Morris, relating to marital and family therapy.

HB 1592, introduced by Representative Crawford, relating to commercial motor vehicles.

HB 1593, introduced by Representative Walker, relating to lobbying.

HB 1594, introduced by Representatives Zweifel and Spreng, relating to removal of nuisances.

HB 1595, introduced by Representatives Byrd and Vogt, relating to downtown and rural development.

HB 1596, introduced by Representatives Zweifel and Bishop, relating to residential property insurance.

HB 1597, introduced by Representatives Wilson (119), King, Dethrow, Kingery, Cunningham (145), Angst, Purgason, Bough, Morris, Wilson (130), Richard, Ruestman, Hunter, Myers, Taylor, Dusenberg, Wallace, Bean, Schlottach, Quinn, Lager, Munzlinger, Sander, Brown, Miller, Pearce, Emery, Cooper (120), Smith (118), Guest, Crawford, Moore, Cooper (155), Goodman and Dempsey, relating to rural empowerment zones.

HB 1598, introduced by Representatives Shoemaker, Munzlinger and Bringer, relating to enterprise zones.

HB 1599, introduced by Representatives Ervin, Brown, Morris, Lembke, Pearce, Wilson (119), Bough, Cooper (155), Cunningham (145), Hobbs, Dethrow, Guest, Sander, Icet, Baker, Schneider, Thelkeld, Dusenberg, Nieves, Wood, Smith (14), Dempsey, Cooper (120), Self, Richard, Pratt, Yates, Jetton, Roark and Reinhart, relating to a joint committee on waste, fraud, and abuse.

HB 1600, introduced by Representatives Crawford and Hobbs, relating to concealed carry endorsements.

SECOND READING OF HOUSE BILLS

HB 1573 through **HB 1589** were read the second time.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 35 was read the second time.

SECOND READING OF SENATE BILLS

SB 781, SB 808, SB 1052, SCS SB 1075 and SCS SB 1100 were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1338, relating to buyers' clubs, was taken up by Representative Wood.

Representative Lipke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1338, Page 1, Section 407.671, Line 10, by inserting after "(4)" the following:

""Claimant", any aggrieved consumer or business organization, but does not include any political subdivision of the state;
_____(5)"; and

Further amend said section by renumbering the remaining subdivisions accordingly; and

Further amend said bill, Page 3, Section 407.691, Line 2, by deleting the word "**private**" on said line; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1338, Page 3, Section 407.699, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"407.699. 1. Any purchaser of a travel club membership"; and

Further amend said bill, Page 4, Section 407.699, Line 15, by inserting immediately after "**mailbox**," the following:

"certified mail, return receipt requested,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 2** was adopted.

On motion of Representative Wood, **HCS HB 1338, as amended**, was adopted.

On motion of Representative Wood, **HCS HB 1338, as amended**, was ordered perfected and printed.

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1081 - Crime Prevention and Public Safety

HB 1270 - Budget

LETTER OF RESIGNATION

March 1, 2004

The Honorable Catherine Hanaway
Speaker of the House
Missouri State Capitol
Jefferson City, MO 65101

Dear Madam Speaker:

I hereby notify you of my resignation as chairman of the Homeland Security and Veterans Affairs Committee effective March 2, 2004.

Sincerely,

/s/ Christopher L. Shoemaker

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Brown is no longer a member of the Tourism and Cultural Affairs Committee.

Representative Stefanick is no longer a member of the Children and Families Committee.

Representative Jackson has been appointed Chair of the Homeland Security and Veterans Affairs Committee.

Representative Reinhart has been appointed a member of the Children and Families Committee.

Representative Yates has been appointed a member of the Tourism and Cultural Affairs Committee.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, March 2, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative B. J. Marsh, District 136, hereby state and affirm that I was present during the session of the House of Representatives on Thursday, February 26, 2004 and that the House Journal inaccurately reflects my absence. Pursuant to House Rule 88, I ask that the Journal be corrected to note my presence in the House Journal for Thursday, February 26, 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of March 2004.

/s/ B. J. Marsh
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Hampton, District 147, hereby state and affirm that my vote as recorded on Page 435 of the House Journal for Thursday, February 26, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of March 2004.

/s/ Mark Hampton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 2, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HCR 10, SS SCR 26

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, March 2, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Possible mark up.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Possible mark up.

BUDGET

Wednesday, March 3, 2004, 8:00 a.m. Hearing Room 3.

Executive session will be held on: HB 1014, HJR 49

CHILDREN AND FAMILIES

Tuesday, March 2, 2004, Hearing Room 1 upon evening adjournment or 5:00 p.m.

Executive session may follow.

Public hearings to be held on: HB 1349, HB 968

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 933, HB 1433, HB 1383

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 2, 2004, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1436, HB 1274, HB 788, HB 1330, HB 787

ELECTIONS

Tuesday, March 2, 2004, 5:00 p.m. Hearing Room 7.

Executive session will precede the hearing.

Public hearings to be held on: HB 1494, HJR 29

Executive session will be held on: HB 988, HB 1101, HB 1092

FINANCIAL SERVICES

Tuesday, March 2, 2004, 12:00 p.m. Hearing Room 6.

Possible Executive session.

Public hearings to be held on: HB 1253, HB 1090, HB 1232, HB 1233

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, March 2, 2004, 5:00 p.m. Hearing Room 5.

Executive session will follow. AMENDED

Public hearing to be held on: HB 1555

Executive session will be held on: HB 1226, HB 1152, HB 1381

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1370

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 7.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

JUDICIARY

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 1511, HB 920, HB 821, HB 1213, HB 1354

Executive session will be held on: HB 798, HB 1179, HB 1188, HB 1364

LOCAL GOVERNMENT

Thursday, March 4, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1445, HB 1456, HB 1524, HB 1362, HB 1180

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 2, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1424, HB 1422, HB 1464, HB 970

Executive session may be held on: HB 1224, HB 985, HB 1197, HB 1399, HB 792, HB 1424

SENIOR SECURITY

Tuesday, March 2, 2004, 5:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 927, HB 1534, HB 1441, SS SCS SB 730

SMALL BUSINESS

Wednesday, March 3, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1520

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, March 2, 2004, 6:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 1097

SUBCOMMITTEE ON COMPETITION AND PRIVATIZATION ON LEGISLATIVE RESEARCH

Thursday, March 4, 2004, Senate Lounge upon subsequent adjournment or 1:00 p.m.

Results of Competition/Privatization follow up questionnaire.

Presentation of Privatization by private groups. Future committee meeting dates and locations and any other business.

TAX POLICY

Tuesday, March 2, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1210, HB 1099, HB 859, HB 1309

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1049, HB 1408, HB 1437, HB 1284, HB 1374

Executive session may be held on: HB 1167, HB 1288, HB 995, HB 996, HB 1366, HB 1405, HB 976, SCS SBs 1144, 919, & 874, HB 977

HOUSE CALENDAR

THIRTY-FIRST DAY, TUESDAY, MARCH 2, 2004

HOUSE BILLS FOR SECOND READING

HB 1590 through HB 1600

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1304 - Byrd (94)
- 6 HB 841 - Angst (146)
- 7 HCS HB 1055 - Bruns (113)
- 8 HCS HB 1305 - Byrd (94)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/26/2004)

- 1 HCS HB 833 - Luetkemeyer (115)
- 2 HB 938 - Luetkemeyer (115)
- 3 HCS HB 947 - Crawford (117)
- 4 HB 962 - May (149)
- 5 HB 975 - Johnson (47)
- 6 HCS HB 998 & 905 - Sutherland (99)
- 7 HB 1047 - Guest (5)
- 8 HCS HB 1209 - Jetton (156)
- 9 HB 1275 - Wilson (130)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 801 - Smith (118)
- 2 HCS HB 895, E.C. - Emery (126)
- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989, E.C. - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071, E.C. - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 916 - Brown (30)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-FIRST DAY, TUESDAY, MARCH 2, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend Donald W. Lammers.

Lord God, You never forget any of Your people. Give us the vision and the discipline to think that way. Help us to give steady attention to the common good. As we listen to one another, and as we take our stand, as we study and research the issues, guide us to keep in focus what is best for the common good.

Holy Lord, while You never forget any of Your people, at the same time You have a special concern for the poor. We have poor children, the disabled poor, the elderly poor, and the working poor. As we work for the common good, give us a special concern, even an affection, for the poor.

When we never forget any of the people, and when we take special care of the poor, our work is godly. Today, O Lord, and every day, may our work be godly and may we be godly.

We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ericka Sayler, Billy Johnson, Allison Monnig, Jared Henderson, Rudy Jovanovic, Derek Walling, Chanel Mosley, Rachel Franck, Brenton Miller, Terry Smith, John Hayes, Grant Oserowsky, Alex Oserowsky, Charmmura Henderson and Quenasha Gray.

Representative Shoemaker assumed the Chair.

The Journal of the thirtieth day was approved as corrected by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser

George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

Sager	Whorton	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Boykins	Rupp	Taylor
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HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 860 - Representative Lager
- House Resolution No. 861 - Representative Jetton
- House Resolution No. 862 - Representative Cooper (120)
- House Resolution No. 863 - Representative Miller
- House Resolution No. 864 - Representative Munzlinger
- House Resolution No. 865 - Representative Schoemehl
- House Resolution No. 866 - Representative Wilson (130)
- House Resolution No. 867 - Representative Rector

HOUSE CONCURRENT RESOLUTION

Representative LeVota, et al, offered House Concurrent Resolution No. 27.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1601, introduced by Representatives Purgason, Kelly (144), Luetkemeyer, Dethrow, Crowell and Cooper (155), relating to the county sheriff's revolving fund.

HB 1602, introduced by Representatives St. Onge, Kratky, Johnson (47), Byrd, Rector, Townley, Willoughby and Engler, relating to environmental regulation.

HB 1603, introduced by Representative Lager, for the sole purpose of the republication of 135.766.

HB 1604, introduced by Representatives Bean, Swinger, Myers, Mayer, Reinhart, Henke, Harris (110), Bringer, Witte, Davis (122), Shoemyer, Barnitz, Seigfreid, Black and Kuessner, relating to cotton liens.

HB 1605, introduced by Representatives Bean, Kingery, Cooper (155), Schaaf, Bough, Miller, Reinhart, Swinger, Mayer, King, Townley, Kuessner and Wallace, relating to the nursing student loan programs.

HB 1606, introduced by Representatives Dougherty, LeVota, Young, Salva, Wildberger and Dusenberg, relating to first responder training requirements.

HB 1607, introduced by Representatives Hobbs, Rector and Emery, relating to nuisance abatement.

HB 1608, introduced by Representative Dougherty, to authorize the conveyance of property owned by the state in the county of Jackson.

SECOND READING OF HOUSE BILLS

HB 1590 through **HB 1600** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1304, relating to tort reform, was taken up by Representative Byrd.

Representative Bryd offered **HS HCS HB 1304**.

Speaker Pro Tem Jetton resumed the Chair.

Representative Pratt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Page 21, Line 12, by inserting after the last word in said section the following:

“408.040. 1. Interest shall be allowed on all money due upon any judgment or order of any court from the day of rendering the same until satisfaction be made by payment, accord or sale of property; all such judgments and orders for money upon contracts bearing more than nine percent interest shall bear the same interest borne by such contracts, and, **except as provided by subsection 3 of this section**, all other judgments and orders for money shall bear nine percent per annum until satisfaction made as aforesaid.

2. In tort actions, if a claimant has made a demand for payment of a claim or an offer of settlement of a claim, to the party, parties or their representatives, **and to such party’s liability insurer if known to the claimant**, and the amount of the judgment or order exceeds the demand for payment or offer of settlement, **then** prejudgment interest, [at the rate specified in subsection 1 of this section, shall] **may be awarded**, calculated from a date [sixty] **ninety** days after the demand or offer was [made] **received, as shown by the certified mail return receipt**, or from the date the demand or offer was rejected without counter offer, whichever is earlier. [Any such demand or offer shall be made in writing and sent by certified mail and shall be left open for sixty days unless rejected earlier.] **In order to qualify as a demand or offer pursuant to this section, such demand must:**

- (1) **Be in writing and sent by certified mail return receipt requested; and**
- (2) **Be accompanied by an affidavit of the claimant describing the nature of the claim and theory of liability, the nature of any injuries claimed and a computation of any category of damages sought by the claimant with supporting documentation; and**
- (3) **For personal injury and bodily injury claims, be accompanied by a list of the names and addresses of medical providers who have provided treatment to the claimant for such injuries, copies of all medical bills, a list of employers if the claimant is seeking damages for loss of wages or earnings, and written authorizations sufficient to allow the party, its representatives, and liability insurer if known to the claimant to obtain records from all employers and medical care providers; and**
- (4) **Reference this section and be left open for ninety days.**

If the claimant is a minor or incompetent or deceased, the affidavit may be signed by any person who reasonable appears to be qualified to act as next friend or conservator or personal representative. If the claim is one for wrongful death, the affidavit may be signed by any person qualified pursuant to section 537.080, RSMo, to make claim for the death. The trial court, in its discretion, shall determine whether prejudgment interest is awarded. Nothing contained herein shall limit the right of a claimant, in actions other than tort actions, to recover prejudgment interest as otherwise provided by law or contract.

3. Notwithstanding the provisions of subsection 1 of this section, in tort actions, a judgment for prejudgment interest awarded pursuant to subsection 2 of this section and post judgment interest should bear interest at a per annum interest rate equal to the coupon issue yield equivalent, as determined by the Federal Reserve Board, of the average accepted auction price for the last auction of the two-year United States Treasury Notes settled immediately prior to the date of the judgment. The judgment shall state the applicable interest rate. The state courts administrator shall distribute notice of such rate and any changes in such rate to the circuit clerks of all circuit courts in Missouri.”.

HCS HB 1304, with House Amendment No. 1, and HS, pending, was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Shoemaker.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 868
 through
 House Resolution No. 870 - Representative Bean

House Resolution No. 871 - Representative Dusenberg
House Resolution No. 872 - Representative Zweifel
House Resolution No. 873 - Representative Bringer
House Resolution No. 874 - Representatives Hilgemann and El-Amin

HOUSE CONCURRENT RESOLUTION

Representative Page, et al, offered House Concurrent Resolution No. 28.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1609, introduced by Representatives Fraser, Walker, Sager, Harris (110), Selby and Riback Wilson (25), relating to mercury emission.

HB 1610, introduced by Representative Ward, relating to the Trooper Jesse R. Jenkins Memorial Highway.

HB 1611, introduced by Representatives Dethrow, Schlottach, Wilson (119), Wasson, Richard, Kingery, Engler, Selby and Lembke, relating to motor vehicle registrations.

HB 1612, introduced by Representative Bringer, to authorize the conveyance of property owned by the state in the county of Marion to the city of Hannibal.

HB 1613, introduced by Representatives Morris, Roark, Holand, Bough, Emery, Wilson (119), Wood, Cunningham (145), Goodman, Wasson, Angst and Wright, to authorize the conveyance of property in the county of Green owned by the board of governors of Southwest Missouri State University.

HB 1614, introduced by Representatives Holand and Riback Wilson (25), relating to the repeal of the expiration date for certain mental health insurance statutes.

PERFECTION OF HOUSE BILL

HCS HB 1304, with House Amendment No. 1, and HS, pending, relating to tort reform, was again taken up by Representative Byrd.

On motion of Representative Pratt, **House Amendment No. 1** was adopted.

Representative Hobbs offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Section 538.210, Page 16, Line 4, by deleting the word “**four**” and inserting in lieu thereof the word “**two**”; and

Further amend said line by deleting the brackets around the word “fifty”.

Speaker Pro Tem Jetton resumed the Chair.

Representative Yates offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Section 538.210, Page 16, Line 4, by deleting said line and inserting in lieu thereof the following:

“plaintiff shall recover more than three hundred [fifty]”.

Representative Pratt offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Substitute for House Committee Substitute for House Bill No. 1304, Section 538.210, Page 16, Line 4, by deleting the brackets around the word “fifty”.

Representative Dempsey assumed the Chair.

Speaker Hanaway assumed the Chair.

On motion of Representative Pratt, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 082

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Sander	Schaaf	Schlottach
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Threlkeld	Townley

Viebrock	Wasson	Wilson 119	Wilson 130	Wood
Yates	Madam Speaker			

NOES: 073

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Parker	Ransdall
Sager	Salva	Schneider	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 001

Wright

ABSENT WITH LEAVE: 007

Avery	Boykins	Holand	Lawson	Marsh
Rupp	Taylor			

On motion of Representative Yates, **House Substitute Amendment No. 1 for House Amendment No. 2, as amended**, was adopted.

Representative Yates offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Section 510.263, Page 6, Line 15, by inserting the phrase “**by clear and convincing evidence**” after the word “determines”.

On motion of Representative Yates, **House Amendment No. 3** was adopted.

HCS HB 1304, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 29**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to the Constitution of Missouri relating to marriage.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 783**, entitled:

An act to repeal section 262.217, RSMo, and to enact in lieu thereof one new section relating to the state fair commission, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 803**, entitled:

An act to repeal section 210.145, RSMo, and to enact in lieu thereof one new section relating to investigations of child abuse and neglect, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 837**, entitled:

An act to repeal section 324.010, RSMo, and to enact in lieu thereof one new section relating to professional licenses.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 859**, entitled:

An act to repeal section 43.060, RSMo, and to enact in lieu thereof one new section relating to the state highway patrol.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 969**, entitled:

An act to repeal sections 163.031, 168.500, and 168.515, RSMo, and to enact in lieu thereof four new sections relating to the removal of the proration factor for purposes of calculating career ladder payments.

In which the concurrence of the House is respectfully requested.

An act to repeal sections 33.103, 166.415, 166.435, 408.132, 408.140, 408.190, 408.232, 432.045, and 433.130, RSMo, and to enact in lieu thereof twenty-six new sections relating to banking.

ADJOURNMENT

CORRECTIONS TO THE HOUSE JOURNAL

I, State Representative Bob Behnen, District 2, hereby state and affirm that my vote as recorded on Pages 451 and 452 of the House Journal for Monday, March 1, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

/s/ Bob Behnen
State Representative

Subscribed and sworn to before me this 2nd day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of March 2004.

/s/ Jim Guest
State Representative

[illegible]

Subscribed and sworn to before me this 2nd day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jay Wasson, District 141, hereby state and affirm that my vote as recorded on Pages 451 and 452 of the House Journal for Monday, March 1, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of March 2004.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 4, 2004, 8:15 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Possible mark up. AMENDED

BUDGET

Wednesday, March 3, 2004, 8:00 a.m. Hearing Room 3.

Executive session will be held on: HB 1014, HJR 49

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 933, HB 1433, HB 1383

EDUCATION

Wednesday, March 3, 2004, 5:00 p.m. Hearing Room 3.

Executive session. AMENDED

Public hearings to be held on: HB 767, HB 1498

HEALTH CARE POLICY

Wednesday, March 3, 2004, 5:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1348, HB 1477

Executive session will be held on: HB 1136

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1370

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 8, 2004, 1:00 p.m. Hearing Room 7.

Report from the Revision Subcommittee.

Oversight program evaluation on the Office of Administration, Division of Facilities Management, state leasing practices. Any other business.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 7.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

JUDICIARY

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 1511, HB 920, HB 821, HB 1213, HB 1354

Executive session will be held on: HB 798, HB 1179, HB 1188, HB 1364

LOCAL GOVERNMENT

Wednesday, March 3, 2004, House Chamber side gallery upon afternoon adjournment.

Executive session will be held on: HB 795, HB 1471, HB 1398, HB 824

LOCAL GOVERNMENT

Thursday, March 4, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1445, HB 1456, HB 1524, HB 1362, HB 1180

RETIREMENT

Thursday, March 4, 2004, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1217, HB 1218, HB 1069, HB 1145, HB 1273, HB 1440

SMALL BUSINESS

Wednesday, March 3, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 1520

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 1.

Executive session will be held on: HB 1347, HB 1402, HB 1411

**SUBCOMMITTEE ON COMPETITION AND PRIVATIZATION
ON LEGISLATIVE RESEARCH**

Thursday, March 4, 2004, Senate Lounge upon subsequent adjournment or 1:00 p.m.

Results of Competition/Privatization follow up questionnaire.

Presentation of Privatization by private groups.

Future committee meeting dates and locations and any other business.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 4.

Challenge fiscal note SCS SB 1038.

**SUBCOMMITTEE ON TOBACCO MASTER SETTLEMENT AGREEMENT
AND MODEL STATUTE**

Wednesday, March 3, 2004, 3:00 p.m. Hearing Room 5.

Discussion on HB 1343 and HB 1267 in relation to the Master Settlement Agreement.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1049, HB 1408, HB 1437, HB 1284, HB 1374

Executive session may be held on: HB 1167, HB 1288, HB 995, HB 996, HB 1366, HB 1405,
HB 976, SCS SBs 1144, 919, & 874, HB 977

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 3, 2004, 12:00 p.m. Hearing Room 3.

Executive session may be held.

Public hearings to be held on: HB 1496

HOUSE CALENDAR

THIRTY-SECOND DAY, WEDNESDAY, MARCH 3, 2004

HOUSE BILLS FOR SECOND READING

HB 1601 through HB 1614

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 28 - Roark (139)

2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1304, HS, as amended, pending - Byrd (94)
- 6 HB 841 - Angst (146)
- 7 HCS HB 1055 - Bruns (113)
- 8 HCS HB 1305 - Byrd (94)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/26/04)

- 1 HCS HB 833 - Luetkemeyer (115)
- 2 HB 938 - Luetkemeyer (115)
- 3 HCS HB 947 - Crawford (117)
- 4 HB 962 - May (149)
- 5 HB 975 - Johnson (47)
- 6 HCS HB 998 & 905 - Sutherland (99)
- 7 HB 1047 - Guest (5)
- 8 HCS HB 1209 - Jetton (156)
- 9 HB 1275 - Wilson (130)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 801 - Smith (118)
- 2 HCS HB 895, E.C. - Emery (126)
- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989, E.C. - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071, E.C. - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

SENATE JOINT RESOLUTION FOR SECOND READING

SJR 29

SENATE BILLS FOR SECOND READING

- 1 SB 783
- 2 SB 803
- 3 SCS SB 837
- 4 SCS SB 859
- 5 SCS SB 969
- 6 SCS SB 1038

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 916 - Brown (30)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-SECOND DAY, WEDNESDAY, MARCH 3, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we trust Your Word, which says, "A cheerful heart is good medicine, but a broken spirit saps a person's strength." May we approach this day with renewed strength, a cheerful disposition and an enthusiastic devotion to those duties that lie ahead.

Since You are directing our steps, we need no specific understanding of everything that happens along the way. Therefore, may Your loving-kindness and mercy, truth and faithfulness, forever preserve us. Our hope is grounded in Your unshakable promises.

May You guide us in justice and teach us Your way.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Howard, Jaszmyne Fassett, Charmmura Henderson, Quenasha Gray, Dustin Lattimer, Whitney Wright and Stacy Griswold.

The Journal of the thirty-first day was approved as printed.

SPECIAL RECOGNITION

The Blue Springs Wildcat Boys Swimming and Diving Team was introduced by Representatives Dusenberg and Pratt and recognized as Outstanding Missourians for attaining First Place in the 2003-2004 Missouri State High School Activities Association sanctioned Championships.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 875	-	Representatives Wilson (130) and Ruestman
House Resolution No. 876	-	Representative LeVota
House Resolution No. 877	-	Representative LeVota, et al
House Resolution No. 878	-	Representative George

House Resolution No. 879 - Representative Wood
House Resolution No. 880 - Representative El-Amin
House Resolution No. 881 - Representative Swinger
House Resolution No. 882
through
House Resolution No. 884 - Representative Yates
House Resolution No. 885 - Representative Dougherty
House Resolution No. 886 - Representative Rupp
House Resolution No. 887 - Representatives Davis (19) and Bough
House Resolution No. 888
through
House Resolution No. 891 - Representatives Engler and Lipke

HOUSE CONCURRENT RESOLUTION

Representative Quinn, et al, offered House Concurrent Resolution No. 29.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1615, introduced by Representative Dempsey, relating to motor vehicle dealers.

HB 1616, introduced by Representatives Hanaway, Townley, Richard, Engler, Bivins, Reinhart, Page, Moore, May, Ruestman, Brown, Wilson (119) and Cunningham (86), relating to the publication of administrative rules.

HB 1617, introduced by Representatives Hanaway, Townley, Richard, Engler, Bivins, Reinhart, Page, Moore, May, Willoughby, Brown and Wilson (119), relating to obstruction of securities investigations.

HB 1618, introduced by Representatives Skaggs, Selby, Kelly (36), Wilson (42), Bishop, Page, Meiners and Hilgemann, relating to assault of a law enforcement officer, emergency personnel, or security officer.

HB 1619, introduced by Representatives Holand and Threlkeld, relating to the consumer protection act for wheeled mobility.

HB 1620, introduced by Representative Muckler, relating to domestic violence.

SECOND READING OF HOUSE BILLS

HB 1601 through **HB 1614** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 29 was read the second time.

SECOND READING OF SENATE BILLS

SB 783, SB 803, SCS SB 837, SCS SB 859, SCS SB 969 and **SCS SB 1038** were read the second time.

Representative Morris assumed the Chair.

PERFECTION OF HOUSE BILLS

HB 841, relating to containers on watercraft, was taken up by Representative Angst.

Representative Angst offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 841, Section 306.325, Page 1, Line 4, by striking “**innertube**,”; and

Further amend said section and page, Line 8, by inserting “**or innertube**” after “**vessel**”.

On motion of Representative Angst, **House Amendment No. 1** was adopted.

Representative Ransdall offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 841, Section 306.325, Page 1, Line 8, by inserting after “**navigable**” the words “**or non-navigable**”.

On motion of Representative Ransdall, **House Amendment No. 2** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 841, Page 1, Section 306.325, Line 5, by deleting all of said line and inserting in lieu thereof:

“**Susceptible to swamping, tipping, or rolling, and including any houseboat, party**”.

Representative Riback Wilson (25) moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Angst, **HB 841, as amended**, was ordered perfected and printed.

HCS HB 1055, relating to sexual offenses, was taken up by Representative Bruns.

Representative Corcoran offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1055, Section 573.037, Page 2, Line 5 of said page, by deleting Lines 5 through 7, and by inserting in lieu thereof the following:

“2. Possession of child pornography is a class [A misdemeanor] **D felony** unless the person has pleaded guilty to or has been found guilty of an offense under this section, in which case it is a class [D] **C felony**.”

On motion of Representative Corcoran, **House Amendment No. 1** was adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Icey
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Hoskins

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Avery
Taylor

Boykins

Jetton

Lowe

Reinhart

Representative Henke offered **House Amendment No. 2**.

Representative Lipke raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

Representative Morris requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS HB 1055, as amended, was laid over.

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SS SCS SB 1099 - Job Creation and Economic Development

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **HB 1192**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Communications, Energy and Technology, Chairman Rector reporting:

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **HB 1171**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 956**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1215**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 884**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 904**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1223**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1291**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 824**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1398**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1471**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1399**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **SCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SENATE CONCURRENT RESOLUTION NO. 33

WHEREAS, for many years, residents in the greater St. Louis area enjoyed regular airline service by TWA to and from Ronald Reagan Washington National Airport (DCA); and

WHEREAS, St. Louis is a large market, with over 2.6 million people in the St. Louis Metropolitan Statistical Area, and for the year 2003, the St. Louis-Washington market (not including BWI) ranked 13th among Washington destinations inside the 1,250-mile perimeter with 243,302 passengers; and

WHEREAS, because TWA was the dominant airline in St. Louis, fares were relatively high, especially for business travelers who often traveled on a few days' notice. When American Airlines acquired TWA several years ago, they significantly reduced their presence in St. Louis and service to Washington, D.C. has suffered as a result; and

WHEREAS, American Airlines now operates its DCA to STL services using regional jets with a seating capacity of 50 or less seats, United Airlines operates three daily roundtrips using regional jets between St. Louis and Dulles, and Southwest Airlines only flies to BWI, not to DCA or Dulles; and

WHEREAS, with such a lack of competition for flights to Washington, D.C., Primaris, a new entrant airline, would introduce competition in the market served currently only by American Airlines; and

WHEREAS, Primaris proposes to operate a twice-daily premium service between STL and DCA using Boeing 757 aircraft with 126-seat capacity in a two-by-two configuration for passenger comfort; and

WHEREAS, Primaris will provide this premium service which is equal to or better than the current business class service and will offer fares significantly lower than most coach class fares of American Airlines' commuter affiliates that now conduct DCA-STL operations; and

WHEREAS, while recognizing that the United States Congress has given the federal Department of Transportation authority to grant only a few slot exemptions, given the size of the St. Louis market and the current lack of competition on the DCA-STL route, approval of Primaris Airlines' application is strongly recommended to serve the St. Louis-Washington, D.C. market:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Department of Transportation to grant approval to Primaris Airlines' application in Docket OST 2000-7182 for the operation of twice-daily service between Ronald Reagan Washington National Airport (DCA) and Lambert-St. Louis International Airport (STL); and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copies of this resolution for the Honorable Norman Y. Mineta, Secretary of Transportation, and each member of the Missouri Congressional Delegation.

Committee on Senior Security, Chairman Portwood reporting:

Madam Speaker: Your Committee on Senior Security, to which was referred **HB 898**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 1363**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 826**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 883**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 912**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 937**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1029**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1029, Page 1, Section 227.349, Line 2, by deleting the words "**intersection of state highway J to state**" and inserting in lieu thereof the following:

"intersection of state highway J and state"; and

Further amend said title, enacting clause and intersectional references accordingly.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1114**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1142, Page 1, Section 304.029, Lines 12 to 14, by deleting all of said lines; and

Further amend said bill, Page 1, Section 304.029, Line 15, by deleting all of said line and inserting the following:

"3. A low-speed vehicle shall be exempt from the requirements of sections 307.350"; and

Further amend said bill, Page 1, Section 304.029, Line 18, by deleting all of said line and inserting the following:

"4. Every operator of a low-speed vehicle shall maintain financial responsibility on"; and

Further amend said bill, Page 2, Section 304.029, Line 21, by deleting all of said line and inserting the following:

"5. Each person operating a low-speed vehicle on a highway in this state shall"; and

Further amend said bill, Page 2, Section 304.029, Lines 23 to 27, by deleting all of said lines and inserting the following:

"6. All low-speed vehicles shall be manufactured in compliance with the national highway traffic safety administration standards for low-speed vehicles in 49 C.F.R. 571.500, as amended."; and

Further amend said bill, Page 2, Section 304.029, Line 28, by deleting all of said line and inserting the following:

"7. Nothing in this section shall prevent county or municipal governments from"; and

Further amend said title, enacting clause and intersectional references accordingly.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1259**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1317**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1439**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 950 & 948**.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Stefanick is no longer a member of the Children and Families Committee.

Representative Reinhart has been appointed a member of the Children and Families Committee.

Representative Brown is no longer a member of the Tourism and Cultural Affairs Committee.

Representative Yates has been appointed a member of the Tourism and Cultural Affairs Committee.

LETTER OF RESIGNATION

March 3, 2004

The Honorable Mike Sager
House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Representative Sager,

Please accept my resignation from the Joint Irish Caucus.

Thank you for your attention to this request.

Sincerely,

/s/ Paul LeVota

COMMUNICATION

March 3, 2004

Mr. Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Steve:

Pursuant to Chapter 105.461 RSMo this letter is an official report that my wife, Michele M. Behnen, is employed by the Kirksville Veterans Clinic, a subunit of the Northeast Missouri Health Council.

In order for me to comply with Chapter 105.461 please publish this report in the Journal of the House.

Sincerely,

/s/ Robert J. Behnen

The following members' presence was noted: Reinhart and Jetton.

ADJOURNMENT

On motion of Representative Stefanick, the House adjourned until 10:00 a.m., Thursday, March 4, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1238, HB 1507

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 4, 2004, 8:15 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

Possible mark up. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, March 9, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

Possible mark up.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, March 10, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

Possible mark up.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 11, 2004, 8:15 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services.

Possible mark up.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, March 9, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1493, HB 1328, HB 1340

FINANCIAL SERVICES

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1027, HB 1231, HB 1285

Executive session will be held on: HB 1090, HB 1233, HB 1253

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 8, 2004, 1:00 p.m. Hearing Room 7.

Report from the Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, state leasing practices.

Any other business.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 7.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

LOCAL GOVERNMENT

Thursday, March 4, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1445, HB 1456, HB 1524, HB 1362, HB 1180

RETIREMENT

Thursday, March 4, 2004, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1217, HB 1218, HB 1069, HB 1145, HB 1273, HB 1440

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 1.

Executive session will be held on: HB 1347, HB 1402, HB 1411

SUBCOMMITTEE ON COMPETITION AND PRIVATIZATION ON LEGISLATIVE RESEARCH

Thursday, March 4, 2004, Senate Lounge upon subsequent adjournment or 1:00 p.m.

Results of Competition/Privatization follow up questionnaire.

Presentation of Privatization by private groups.

Future committee meeting dates and locations and any other business.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Thursday, March 4, 2004, 8:00 a.m. Hearing Room 4.

Challenge fiscal note SCS SB 1038.

HOUSE CALENDAR

THIRTY-THIRD DAY, THURSDAY, MARCH 4, 2004

HOUSE BILLS FOR SECOND READING

HB 1615 through HB 1620

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1304, HS, as amended, pending - Byrd (94)
- 6 HCS HB 1055, as amended - Bruns (113)
- 7 HCS HB 1305 - Byrd (94)
- 8 HCS HB 1215 - Engler (106)
- 9 HCS HB 898 - Johnson (47)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/26/04)

- 1 HCS HB 833 - Luetkemeyer (115)
- 2 HB 938 - Luetkemeyer (115)
- 3 HCS HB 947 - Crawford (117)
- 4 HB 962 - May (149)
- 5 HB 975 - Johnson (47)
- 6 HCS HB 998 & 905 - Sutherland (99)
- 7 HB 1047 - Guest (5)
- 8 HCS HB 1209 - Jetton (156)
- 9 HB 1275 - Wilson (130)

(3/04/04)

- 1 HCS HB 1363 - Fares (91)
- 2 HCS HB 1439 - Crawford (117)
- 3 HB 826 - Kelly (144)
- 4 HB 1291 - Pearce (121)

- 5 HB 956 - May (149)
- 6 HB 1398 - Lager (4)
- 7 HCS HB 1399 - Lager (4)
- 8 HB 1259 - Threlkeld (109)
- 9 HB 1317 - Kingery (154)
- 10 HB 937 - Moore (20)
- 11 HB 904 - Luetkemeyer (115)
- 12 HB 824 - Seigfreid (26)
- 13 HCS HB 883 - Graham (24)
- 14 HB 884 - Ward (107)
- 15 HCS HB 912 - Page (82)
- 16 HB 1029, HCA 1 - Henke (11)
- 17 HB 1114 - Skaggs (31)
- 18 HB 1142, HCA 1 - Daus (67)
- 19 HCS HB 1171 - Rector (124)
- 20 HCS HB 1192 - Schlottach (111)
- 21 HB 1223 - Ward (107)
- 22 HCS HB 1471 - Brooks (37)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1338 - Wood (62)
- 2 HB 841 - Angst (146)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 801 - Smith (118)
- 2 HCS HB 895, E.C. - Emery (126)
- 3 HB 923 - Holand (135)
- 4 HB 932 - Bivins (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989, E.C. - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071, E.C. - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)

SENATE CONCURRENT RESOLUTION

SCR 33, (3-03-04)

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 916 - Brown (30)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-THIRD DAY, THURSDAY, MARCH 4, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

(The steady rainfall suggests several lines from the Hebrew scripture.)

Thus says the Lord:

"I will give the seasonal rain to your land, the early rain and the late rain, that you may have your grain, wine and oil to gather in; and I will bring forth grass in your fields for your animals. Thus you may eat your fill." (Deuteronomy 11:14-15)

Again, thus says the Lord:

"Let justice descend, O heavens, like dew from above, like gentle rain let the skies drop it down. Let the earth open and salvation bud forth; let justice also spring up! I, the Lord, have created this." (Isaiah 45:8)

Lord God, in accepting public office, we have accepted the task of cultivating the justice, which You have rained down. Help us to carry out this task worthily, so that justice may spring up everywhere, grow healthily and provide for the needs of all the people.

We pray to You, who are our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Madeleine Irma Esther, Elise Scott, Justin Lees, Erin Smith, Damien Martin and Hannah DeVries.

The Journal of the thirty-second day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 892 - Representative Smith (14)

House Resolution No. 893

and

House Resolution No. 894 - Representative Cunningham (145)

House Resolution No. 895 - Representative Richard

House Resolution No. 896	-	Representative Pearce
House Resolution No. 897	-	Representative Dusenberg
House Resolution No. 898	-	Representative Pratt
House Resolution No. 899	-	Representatives Seigfreid and Jackson
House Resolution No. 900	-	Representative Lager
House Resolution No. 901	-	Representative Liese
House Resolution No. 902	-	Representative Lipke
House Resolution No. 903	-	Representative Schoemehl
House Resolution No. 904	-	Representative Sanders Brooks, et al
House Resolution No. 905	-	Representative Fares
House Resolution No. 906	-	Representative Munzlinger
House Resolution No. 907	-	Representative Davis (122)
House Resolution No. 908	-	Representative Smith (14), et al
House Resolution No. 909		
and		
House Resolution No. 910	-	Representative Johnson (90)
House Resolution No. 911		
through		
House Resolution No. 913	-	Representative Witte
House Resolution No. 914		
and		
House Resolution No. 915	-	Representative Jetton

HOUSE CONCURRENT RESOLUTIONS

Representative Sander, et al, offered House Concurrent Resolution No. 30.
Representatives Holand and Seigfreid offered House Concurrent Resolution No. 31.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1621, introduced by Representatives Hampton, LeVota and Pearce, relating to teacher retirement.

HB 1622, introduced by Representatives Wasson, Taylor, Richard, Stefanick, Dougherty, Schaaf, Kratky, Page and Ruestman, relating to cosmetology.

HB 1623, introduced by Representatives Sanders Brooks, Johnson (61), Wilson (42), Curls and El-Amin, relating to supervision of paroled persons.

HB 1624, introduced by Representative Mayer, relating to grain indemnity program.

HB 1625, introduced by Representative Muckler, relating to local use taxes.

HB 1626, introduced by Representatives Stevenson, Phillips and Wilson (130), relating to the interstate compact for juveniles.

HB 1627, introduced by Representatives Sutherland and Myers, relating to the large carnivore act.

HB 1628, introduced by Representatives Stefanick, Dempsey and Brown, relating to business license taxes.

HB 1629, introduced by Representatives Dempsey, Schneider, Baker, Stefanick, Bough, Nieves, Cunningham (86), Moore, Bivins, Schaaf, Parker, Luetkemeyer, Deeken, Cooper (155), Morris, Threlkeld, Lembke, Bean and Myers, relating to school bus seat belts.

HB 1630, introduced by Representatives May, Wildberger, Cooper (155) and Schaaf, relating to the registered surgical assistant and registered surgical technologist title protection act.

HB 1631, introduced by Representatives Dixon, Jones, Sanders Brooks, Walton, Parker, Hoskins, Hubbard, Johnson (61), Thompson, Bland, Walker, Fraser, Witte, Whorton, Wright, Sander, Myers and Townley, relating to supervision of paroled persons.

HB 1632, introduced by Representatives Hampton and Crawford, relating to donated venison.

HB 1633, introduced by Representatives Bruns, Deeken and Crawford, relating to possession of child pornography.

HB 1634, introduced by Representative Behnen, relating to military discharge records.

SECOND READING OF HOUSE BILLS

HB 1615 through **HB 1620** were read the second time.

Representative Icet assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 1338, relating to buyers' clubs, was taken up by Representative Wood.

On motion of Representative Wood, **HCS HB 1338** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus

Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 004

Hoskins	Hubbard	Johnson 61	Shoemaker
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	Goodman	Lawson	Reinhart
Taylor	Wagner			

Representative Ice declared the bill passed.

HB 841, relating to containers on watercraft, was taken up by Representative Angst.

On motion of Representative Angst, **HB 841** was read the third time and passed by the following vote:

AYES: 138

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann

Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kuessner	Lager	Lembke
Le Vota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Threlkeld	Townley	Viebrock	Walker
Wallace	Walsh	Walton	Ward	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 014

Abel	Donnelly	El-Amin	Hoskins	Hubbard
Johnson 61	Jones	Kratky	Spreng	Thompson
Villa	Vogt	Whorton	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Boykins	Cooper 155	Dixon	Goodman
Johnson 47	Lawson	Reinhart	Shoemaker	Taylor
Wagner				

Representative Ice declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 916, relating to identity theft, was taken up by Representative Brown.

On motion of Representative Brown, **SCS HB 916** was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Kelly 144	Kelly 36

King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

El-Amin	Hoskins	Jones
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PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 007

Avery	Boykins	Goodman	Lawson	Reinhart
Taylor	Wagner			

On motion of Representative Brown, **SCS HB 916** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 90
Jolly	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman

Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

El-Amin	Hoskins	Jones
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PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 009

Avery	Boykins	Crawford	Goodman	Johnson 47
Lawson	Reinhart	Taylor	Wagner	

Representative Icet declared the bill passed.

SENATE CONCURRENT RESOLUTION

SCR 33, relating to Lambert Airport flights, was taken up by Representative Villa.

On motion of Representative Villa, **SCR 33** was adopted by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp

Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Boykins	Cooper 155	Deeken	Goodman
Johnson 47	Lawson	Reinhart	Taylor	Wagner

PERFECTION OF HOUSE BILL

HCS HB 1055, as amended, relating to sexual offenses, was taken up by Representative Bruns.

Representative Dixon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1055, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“43.651. The patrol shall, subject to appropriation, maintain a one page web page on the Internet which shall be open to the public and shall include links to all sex offender registry web sites maintained by any county in the state.”; and

Further amend said bill, Page 1, Section 566.141, Line 5, by inserting immediately after said line the following:

“566.147. 1. Any person who has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of violating any of the provisions of this chapter or the provisions of section 565.253, RSMo, invasion of privacy; subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography in the first degree; section 573.035, RSMo, promoting child pornography in the second degree; section 573.037, RSMo, possession of child pornography, or section 573.040, RSMo, furnishing pornographic material to minors; shall not establish residency within one thousand feet of any public school as defined in section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than the twelfth grade, or child care facility as defined in section 210.201, RSMo, which is in existence at the time such residency is established.

2. If such person has already established a residence and a public school, a private school, or child care facility is subsequently built or placed within one thousand feet of such person's residence, then such person shall, within one week of the opening of such public school, private school, or child care facility, notify the county sheriff where such public school, private school, or child care facility is located that he or she is now residing within one thousand feet of such public school, private school, or child care facility and shall provide verifiable proof to the sheriff that he or she resided there prior to the opening of such public school, private school, or child care facility.

3. Violation of the provisions of subsection 1 of this section is a class D felony except that the second or any subsequent violation is a class B felony. Violation of the provisions of subsection 2 of this section is a class A misdemeanor except that the second or subsequent violations is a class D felony.”; and

Further amend said bill, Page 2, Section 573.037, Line 7 of said page, by inserting after said line the following:

“589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty **or nolo contendere** to committing, or attempting to commit, a felony offense of chapter 566, RSMo, or any offense of chapter 566, RSMo, where the victim is a minor; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty **or nolo contendere** to committing, or attempting to commit one or more of the following offenses: kidnapping, pursuant to section 565.110, RSMo; felonious restraint; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; **sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree;** incest; abuse of a child, pursuant to section 568.060, RSMo; use of a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under eighteen years of age; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state or under federal jurisdiction to committing, or attempting to commit, an offense which, if committed in this state, would be a violation of chapter 566, RSMo, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state or has been or is required to register under federal or military law; or

(6) Any person who has been or is required to register in another state or has been or is required to register under federal or military law and who works or attends school or training on a full-time or on a part-time basis in Missouri. "Part-time" in this subdivision means for more than fourteen days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within ten days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county within ten days of August 28, 2003. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless all offenses requiring registration are reversed, vacated or set aside or unless the registrant is pardoned of the offenses requiring registration.

4. For processing an initial sex offender registration the chief law enforcement officer of the county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

589.425. 1. Any person who is required to register pursuant to sections 589.400 to 589.425 and does not meet all requirements of sections 589.400 to 589.425 is guilty of a class [A misdemeanor] **D felony.**

2. Any person who commits a second or subsequent violation of subsection 1 of this section is guilty of a class [D] C felony.”; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 3** was adopted.

Representative Corcoran offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1055, Page 2, Section 573.037, Line 7, by inserting after all of said line the following:

"573.040. 1. A person commits the crime of furnishing pornographic material to minors if, knowing its content and character, he or she:

(1) Furnishes any material pornographic for minors, knowing that the person to whom it is furnished is a minor or acting in reckless disregard of the likelihood that such person is a minor; or

(2) Produces, presents, directs or participates in any performance pornographic for minors that is furnished to a minor knowing that any person viewing such performance is a minor or acting in reckless disregard of the likelihood that a minor is viewing the performance; or

(3) Furnishes, produces, presents, directs, participates in any performance or otherwise makes available material that is pornographic for minors via computer, electronic transfer, Internet or computer network if the person made the matter available to a specific individual known by the defendant to be a minor.

2. Furnishing pornographic material to minors is a class A misdemeanor unless the person has pleaded guilty to or has been found guilty of an offense **committed at a different time** pursuant to this [section committed at a different time] **chapter, chapter 566 or chapter 568, RSMo**, in which case it is a class D felony.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Corcoran, **House Amendment No. 4** was adopted by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips

Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

El-Amin

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 013

Avery	Boykins	Crowell	Goodman	Hampton
Holand	Johnson 47	Johnson 61	King	Lawson
Reinhart	Taylor	Wagner		

Representative Jolly offered **House Amendment No. 5.**

House Amendment No. 5 was withdrawn.

Representative Jolly offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1055, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“566.083. 1. A person commits the crime of sexual misconduct involving a child if the person:

(1) Knowingly exposes the person's genitals to a child less than fourteen years of age in a manner that would cause a reasonable adult to believe that the conduct is likely to cause affront or alarm to a child less than fourteen years of age;

(2) Knowingly exposes the person's genitals to a child less than fourteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; or

(3) Coerces **or induces** a child less than fourteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child.

2. As used in this section, the term "sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Violation of this section is a class D felony **unless the actor has previously pleaded guilty to or been convicted of an offense pursuant to this chapter or the actor has previously pleaded guilty to or has been convicted of an offense against the laws of another state or jurisdiction which would constitute an offense under chapter 566.**”; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Jolly, **House Amendment No. 6** was adopted.

Representative Witte offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1055, Page 2, Section 573.037, Line 7, by inserting after said line the following:

“589.415. 1. Any probation officer or parole officer assigned to a sexual offender who is required to register pursuant to sections 589.400 to 589.425, shall notify the appropriate law enforcement officials whenever the officer has reason to believe that the offender will be changing his or her residence. Upon obtaining the new address where the offender expects to reside, the officer shall report such address to the chief law enforcement official with whom the offender last registered and the chief law enforcement official of the county having jurisdiction over the new residence, if different. The officer shall also inform the offender of the offender’s duty to register. However, nothing in this section shall affect the offender’s duty to register, pursuant to sections 589.400 to 589.425.

2. As used in this section, the term “probation officer” includes any agent of a private entity providing probation supervision services.”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Witte, **House Amendment No. 7** was adopted.

Representative Johnson (90) offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1055, Page 1, Section A, Line 3, by inserting immediately at the end of said line the following:

"566.093. 1. A person commits the crime of sexual misconduct in the second degree if he:

(1) Exposes his genitals under circumstances in which he or she knows that [his] such conduct is likely to cause affront or alarm; or

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm or while being in a public place in the presence of another person or persons.

2. Sexual misconduct in the second degree is a class B misdemeanor unless the actor has previously been convicted of an offense under this chapter, in which case it is a class A misdemeanor.

566.095. 1. A person commits the crime of sexual misconduct in the third degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that [his] such requests or solicitation is likely to cause affront or alarm or while being in a public place in the presence of another person or persons.

2. Sexual misconduct in the third degree is a class C misdemeanor.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 8** was adopted.

HCS HB 1055, as amended, was laid over.

Speaker Hanaway resumed the Chair.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HBs 950 & 948** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 756 - Small Business
HR 796 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 6 - Budget
HCR 9 - Senior Security
HCR 13 - Judiciary
HCR 15 - Tourism and Cultural Affairs
HCR 21 - Agriculture
HCR 22 - Communications, Energy and Technology
HCR 24 - Rules
HCR 29 - Agriculture

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 53 - Tax Policy

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 775 - Tax Policy
HB 829 - Agriculture
HB 872 - Homeland Security and Veterans Affairs
HB 882 - Crime Prevention and Public Safety
HB 886 - Local Government
HB 887 - Professional Registration and Licensing
HB 888 - Education
HB 889 - Tax Policy

HB 890 - Crime Prevention and Public Safety
HB 891 - Small Business
HB 892 - Transportation and Motor Vehicles
HB 894 - Senior Security
HB 897 - Education
HB 906 - Elections
HB 907 - Transportation and Motor Vehicles
HB 908 - Job Creation and Economic Development
HB 909 - Transportation and Motor Vehicles
HB 922 - Transportation and Motor Vehicles
HB 928 - Transportation and Motor Vehicles
HB 929 - Crime Prevention and Public Safety
HB 930 - Education
HB 943 - Senior Security
HB 1082 - Crime Prevention and Public Safety
HB 1130 - Budget
HB 1189 - Education
HB 1204 - Senior Security
HB 1208 - Workforce Development and Workplace Safety
HB 1219 - Crime Prevention and Public Safety
HB 1220 - Elections
HB 1221 - Judiciary
HB 1254 - Transportation and Motor Vehicles
HB 1255 - Special Committee on Urban Issues
HB 1261 - Local Government
HB 1269 - Judiciary
HB 1282 - Transportation and Motor Vehicles
HB 1292 - Local Government
HB 1293 - Children and Families
HB 1295 - Judiciary
HB 1297 - Tax Policy
HB 1319 - Elections
HB 1324 - Tax Policy
HB 1326 - Conservation and Natural Resources
HB 1335 - Transportation and Motor Vehicles
HB 1353 - Workforce Development and Workplace Safety
HB 1365 - Professional Registration and Licensing
HB 1415 - Agriculture
HB 1416 - Agriculture
HB 1428 - Judiciary
HB 1448 - Education
HB 1457 - Conservation and Natural Resources
HB 1463 - Senior Security
HB 1508 - Children and Families
HB 1510 - Financial Services

HB 1519 - Education
HB 1522 - Professional Registration and Licensing
HB 1525 - Transportation and Motor Vehicles
HB 1546 - Agriculture
HB 1551 - Children and Families
HB 1563 - Health Care Policy
HB 1566 - Special Committee on General Laws
HB 1567 - Conservation and Natural Resources
HB 1570 - Financial Services
HB 1571 - Local Government
HB 1572 - Small Business
HB 1579 - Children and Families
HB 1581 - Small Business
HB 1582 - Transportation and Motor Vehicles
HB 1583 - Transportation and Motor Vehicles
HB 1584 - Crime Prevention and Public Safety
HB 1585 - Crime Prevention and Public Safety
HB 1586 - Local Government
HB 1605 - Health Care Policy
HB 1607 - Local Government
HB 1608 - Local Government
HB 1615 - Job Creation and Economic Development
HB 1616 - Judiciary
HB 1617 - Judiciary

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 35 - Corrections and State Institutions

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 29 - Children and Families

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 781 - Judiciary
SB 783 - Tourism and Cultural Affairs
SB 803 - Education
SB 808 - Conservation and Natural Resources

SCS SB 837 - Tax Policy

SCS SB 859 - Local Government

SCS SB 969 - Education

SCS SB 1038 - Financial Services

SB 1052 - Education

SCS SB 1062 - Local Government

SB 1075 - Local Government

SB 1100 - Judiciary

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HJR 35**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1183**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Elections, Chairman May reporting:

Madam Speaker: Your Committee on Elections, to which was referred **HB 1092**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Elections, to which was referred **HB 1150**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 959**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1278**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **HB 852**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Health Care Policy, to which was referred **HB 855**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1115**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 1290**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 700**, entitled:

An act to repeal section 135.207, RSMo, and to enact in lieu thereof two new sections relating to enterprise zones.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 740, 886 & 1178**, entitled:

An act to repeal sections 148.330, 263.534, 267.470, 267.472, 267.475, 267.480, 267.485, 267.490, 267.495, 267.500, 267.505, 267.510, 267.515, 267.520, 267.525, 267.531, 267.535, 267.540, 267.545, 267.550, 267.551, 267.552, 267.553, 267.554, 267.555, 267.556, 348.406, 348.410, 348.412, 348.430, and 348.432, RSMo, and to enact in lieu thereof twenty-one new sections relating to agriculture programs.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 827**, entitled:

An act to repeal section 512.020, RSMo, and to enact in lieu thereof one new section relating to interlocutory appeals in class actions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 870**, entitled:

An act to amend chapter 226, RSMo, by adding thereto one new section relating to billboards, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 878**, entitled:

An act to repeal section 393.310, RSMo, and to enact in lieu thereof one new section relating to gas corporations and experimental tariffs, with a termination date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 920**, entitled:

An act to repeal sections 306.165, 306.167, and 542.261, RSMo, and to enact in lieu thereof four new sections relating to the Missouri state water patrol.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 921**, entitled:

An act to repeal section 217.375, RSMo, and to enact in lieu thereof one new section relating to administrative segregation of offenders, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1045**, entitled:

An act to amend chapter 574, RSMo, by adding thereto one new section relating to the burning of crosses, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1106**, entitled:

An act to authorize the governor to convey a tract of land owned by the state to the St. Joseph Museum, Inc., with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1107**, entitled:

An act to authorize the governor to convey a tract of land owned by the state to the St. Joseph School District.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SRB 1108**, entitled:

An act to repeal sections 72.424, 105.268, 144.036, 277.200, 277.201, 277.202, 277.206, 277.209, 277.212, 277.215, 319.023, 400.9-629, and 620.1310, RSMo, for the purpose of repealing expired and outdated sections.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1197**, entitled:

An act to repeal section 67.797, RSMo, and to enact in lieu thereof one new section relating to recreational district board members.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Lawson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, March 8, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Jenée' Lowe, District 44, hereby state and affirm that my vote as recorded on Pages 478 and 479 of the House Journal for Wednesday, March 3, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of March 2004.

/s/ Jenée' Lowe
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 4th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HB 1238, HB 1507

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, March 9, 2004, 8:00 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services.
Possible mark up. Executive session may follow. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, March 10, 2004, 8:00 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services.
Possible mark up. Executive session may follow. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 11, 2004, 8:15 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services.
Possible mark up. Executive session may follow. AMENDED

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, March 9, 2004, Hearing Room 3 upon morning adjournment.
Executive session may follow.
Public hearings to be held on: HB 1493, HB 1328, HB 1340

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HR 390, HB 1433, HB 1536

CORRECTIONS AND STATE INSTITUTIONS

Wednesday, March 10, 2004, Hearing Room 7 upon evening adjournment or 5:00 p.m.
Public hearings to be held on: HB 1444

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 9, 2004, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1482, HB 1427, HB 1403, HB 1479, HB 1447, HB 1505, HB 1400

ELECTIONS

Tuesday, March 9, 2004, 5:00 p.m. Hearing Room 7.

Executive session will precede the hearing.

Public hearings to be held on: HB 1265, HJR 37, HJR 46

Executive session will be held on: HB 1249, HB 1494

Executive session may be held on: HJR 29

FINANCIAL SERVICES

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1027, HB 1231, HB 1285

Executive session will be held on: HB 1090, HB 1233, HB 1253

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, March 8, 2004, 1:00 p.m. Hearing Room 7.

Report from the Revision Subcommittee. Oversight program evaluation on the Office of Administration, Division of Facilities Management, state leasing practices.

Any other business. CANCELLED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, March 11, 2004, 1:00 p.m. Hearing Room 1.

Report from Revision Subcommittee. Oversight program evaluation on Office of Administration, Division of Facilities Management, State Leasing Practices and any other business.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Monday, March 8, 2004, 9:30 a.m. Hearing Room 6.

Review draft of 2002 Interim Committee Report.

Department of Elementary and Secondary Education.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

LOCAL GOVERNMENT

Monday, March 8, 2004, 3:00 p.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 1407, HB 1560, SCS SB 952

TAX POLICY

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 881, HB 1032, HB 1067, HB 1210, HB 1158

Executive session may be held on: HB 971, HB 859, HB 1099

TOURISM AND CULTURAL AFFAIRS

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 1547

HOUSE CALENDAR

THIRTY-FOURTH DAY, MONDAY, MARCH 8, 2004

HOUSE BILLS FOR SECOND READING

HB 1621 through HB 1634

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1304, HS, as amended, pending - Byrd (94)
- 6 HCS HB 1055, as amended - Bruns (113)
- 7 HCS HB 1305 - Byrd (94)
- 8 HCS HB 1215 - Engler (106)
- 9 HCS HB 898 - Johnson (47)
- 10 HCS HB 852 - Holand (135)
- 11 HCS HB 1290 - Portwood (92)
- 12 HCS HB 1278 - Luetkemeyer (115)
- 13 HCS HB 855 - Holand (135)
- 14 HCS HB 959 - Luetkemeyer (115)
- 15 HCS HB 1150 - May (149)
- 16 HB 1092 - Deeken (114)
- 17 HCS HB 1115 - Dempsey (18)
- 18 HB 1183 - Mayer (159)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/04/04)

- 1 HCS HB 1363 - Fares (91)
- 2 HCS HB 1439 - Crawford (117)
- 3 HB 826 - Kelly (144)
- 4 HB 1291 - Pearce (121)
- 5 HB 956 - May (149)
- 6 HB 1398 - Lager (4)
- 7 HCS HB 1399 - Lager (4)
- 8 HB 1259 - Threlkeld (109)
- 9 HB 1317 - Kingery (154)
- 10 HB 937 - Moore (20)
- 11 HB 904 - Luetkemeyer (115)
- 12 HB 824 - Seigfreid (26)
- 13 HCS HB 883 - Graham (24)
- 14 HB 884 - Ward (107)
- 15 HCS HB 912 - Page (82)
- 16 HB 1029, HCA 1 - Henke (11)
- 17 HB 1114 - Skaggs (31)
- 18 HB 1142, HCA 1 - Daus (67)
- 19 HCS HB 1171 - Rector (124)
- 20 HCS HB 1192 - Schlottach (111)
- 21 HB 1223 - Ward (107)
- 22 HCS HB 1471 - Brooks (37)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 801 - Smith (118)
- 2 HCS HB 895, s (97)
- 5 HCS HB 955 - Portwood (92)
- 6 HB 960 - Roark (139)
- 7 HB 989, E.C. - Barnitz (150)
- 8 HB 1070 - Miller (133)
- 9 HB 1071, E.C. - Goodman (132)
- 10 HB 1107, HCA 1 - Crawford (117)
- 11 HB 1126 - Seigfreid (26)
- 12 HB 1149 - May (149)
- 13 HCS HB 1198 - Richard (129)
- 14 HCS HB 833 - Luetkemeyer (115)
- 15 HB 938 - Luetkemeyer (115)
- 16 HCS HB 947 - Crawford (117)
- 17 HB 962 - May (149)
- 18 HB 975 - Johnson (47)

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- 19 HCS HB 998 & 905 - Sutherland (99)
- 20 HB 1047 - Guest (5)
- 21 HCS HB 1209 - Jetton (156)
- 22 HB 1275 - Wilson (130)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 700
- 2 SS SCS SBs 740, 886, 1178
- 3 SCS SB 827
- 4 SB 870
- 5 SCS SB 878
- 6 SB 920
- 7 SCS SB 921
- 8 SCS SB 1045
- 9 SCS SB 1106
- 10 SB 1107
- 11 SCS SB 1197
- 12 SRB 1108

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-FOURTH DAY, MONDAY, MARCH 8, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your Word declares, "There is no [human] wisdom or understanding or counsel [that can prevail] against the Lord." We may not be able to envision the coming days and months and what surprises they hold, but we are confident of Your continuous presence and guidance.

We appreciate the changing things in our lives: Painted sunsets that are never duplicated, the singing of birds welcoming in the change of season, and the challenges of each day. Help us to remember that though we live in changing times, You are forever constant.

Now may You guide us by Your grace and mercy.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Stephanie Shelley, Michaela Cooper and Connor Stoehr.

The Journal of the thirty-third day was approved as corrected by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Hoskins
Hubbard	Hunter	Iceet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh

May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Holand	Sander	Smith 118		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 916
and

- House Resolution No. 917 - Representative Lager
- House Resolution No. 918 - Representative Sager
- House Resolution No. 919 - Representative Moore
- House Resolution No. 920 - Representative Hunter
- House Resolution No. 921 - Representative Fraser
- House Resolution No. 922 - Representative Self
- House Resolution No. 923 - Representative Riback Wilson (25)

House Resolution No. 924
through

- House Resolution No. 937 - Representative Fraser

House Resolution No. 938
and

- House Resolution No. 939 - Representative Reinhart
- House Resolution No. 940 - Representative Ervin
- House Resolution No. 941 - Representative Jetton

House Resolution No. 942
and

- House Resolution No. 943 - Representative Goodman
- House Resolution No. 944 - Representative Jetton
- House Resolution No. 945 - Representative Hanaway
- House Resolution No. 946 - Representative Rector
- House Resolution No. 947 - Representative Miller

House Resolution No. 948 - Representative Young
House Resolution No. 949 - Representative Rector

HOUSE CONCURRENT RESOLUTION

Representative Riback Wilson (25) offered House Concurrent Resolution No. 33.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 32, introduced by Representative Purgason, relating to the recognition of the Saponi Indian people of Missouri.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1635, introduced by Representative Salva, to authorize the conveyance of property owned by the state in the county of Jackson.

HB 1636, introduced by Representative Smith (14), relating to bicycle helmets.

HB 1637, introduced by Representatives Johnson (90), Harris (23), Shoemyer, Selby, Hampton, Darrough, Zweifel, Corcoran, Haywood, Bishop, Jolly and Meadows, relating to sexual misconduct.

HB 1638, introduced by Representative Johnson (90), relating to itemization of appropriations.

HB 1639, introduced by Representatives Johnson (90), Donnelly, Harris (23) and Shoemyer, relating to law enforcement officers' health impairment.

HB 1640, introduced by Representatives Johnson (90), Seigfreid, Shoemyer, Abel, Riback Wilson (25), Lowe, Zweifel, Kratky, LeVota, Wildberger and Harris (23), relating to workers' compensation benefits.

SECOND READING OF HOUSE BILLS

HB 1621 through **HB 1634** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 700, **SS SCS SBs 740, 886 & 1178**, **SCS SB 827**, **SB 870**, **SCS SB 878**, **SB 920**, **SCS SB 921**, **SCS SB 1045**, **SCS SB 1106**, **SB 1107**, **SCS SB 1197** and **SRB 1108** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 895, relating to road districts, was taken up by Representative Emery.

On motion of Representative Emery, **HCS HB 895** was adopted.

On motion of Representative Emery, **HCS HB 895** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Smith 118			

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Smith 118			

HB 923, relating to the Missouri Family Trust, was taken up by Representative Holand.

On motion of Representative Holand, **HB 923** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown

Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Smith 118			

Speaker Hanaway declared the bill passed.

HCS HB 955, relating to dietitians, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HB 955** was adopted.

On motion of Representative Portwood, **HCS HB 955** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86

Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Skaggs

PRESENT: 001

Lowe

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Smith 118			

Speaker Hanaway declared the bill passed.

HB 932, relating to water pollution control bonds, was taken up by Representative Engler.

On motion of Representative Engler, **HB 932** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly

Dougherty	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

Harris 23 Selby

PRESENT: 002

El-Amin Johnson 61

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Smith 118			

Speaker Hanaway declared the bill passed.

HB 960, relating to a memorial highway, was taken up by Representative Roark.

On motion of Representative Roark, **HB 960** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham

Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Holand	Liese	Page	Sander	Smith 118

Speaker Hanaway declared the bill passed.

HB 989, relating to a conveyance in Dent County, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HB 989** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese

Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bivins	Carnahan	Cooper 155	Crawford
Dusenberg	Holand	Sander	Smith 118	

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Bishop	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Campbell	Cooper 120	Crawford	Crowell
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson

Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Cunningham 145

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Behnen	Bivins	Byrd	Carnahan
Cooper 155	Corcoran	Dusenberg	Sander	Smith 118
Wasson				

HB 1070, relating to school emergency preparedness plans, was taken up by Representative Miller.

On motion of Representative Miller, **HB 1070** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Sell	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby

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Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander				

Speaker Hanaway declared the bill passed.

HB 1071, relating to a conveyance in Lawrence County, was taken up by Representative Goodman.

On motion of Representative Goodman, **HB 1071** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfried
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Wright			

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Le Vota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Sutherland			

Representative Dixon assumed the Chair.

HB 1107, with House Committee Amendment No. 1, relating to transportation districts, was taken up by Representative Crawford.

On motion of Representative Crawford, **House Committee Amendment No. 1** was adopted.

On motion of Representative Crawford, **HB 1107, as amended**, was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Portwood

PRESENT: 002

Johnson 90

Whorton

ABSENT WITH LEAVE: 006

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander				

Representative Dixon declared the bill passed.

HB 1126, relating to detachment from watershed subdistricts, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 1126**, was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Selby			

Representative Dixon declared the bill passed.

HB 1149, relating to a memorial bridge, was taken up by Representative May.

On motion of Representative May, **HB 1149** was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Holand	Sander	Sutherland		

Representative Dixon declared the bill passed.

HCS HB 1198, relating to insurance holding companies, was taken up by Representative Richard.

On motion of Representative Richard, **HCS HB 1198** was adopted.

On motion of Representative Richard, **HCS HB 1198** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Cooper 120	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 004

Campbell	George	Lowe	Whorton
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ABSENT WITH LEAVE: 006

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander				

Representative Dixon declared the bill passed.

HCS HB 833, relating to exhibition center districts, was taken up by Representative Luetkemeyer.

Representative Luetkemeyer offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 833, Page 9, Section 67.2000, Line 172, by deleting the number "**532.087**" and inserting in lieu thereof the number "**32.087**".

On motion of Representative Luetkemeyer, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Luetkemeyer, **HCS HB 833, as amended**, was adopted.

On motion of Representative Luetkemeyer, **HCS HB 833, as amended**, was read the third time and passed by the following vote:

AYES: 102

Abel	Angst	Baker	Bean	Bearden
Behnen	Black	Bough	Boykins	Brown
Bruns	Byrd	Cooper 120	Crawford	Crowell
Cunningham 145	Cunningham 86	Daus	Davis 122	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Emery
Engler	Ervin	Fares	Goodman	Graham
Guest	Hampton	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lipke
Luetkemeyer	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Ruestman	Rupp	Schaaf	Schlottach	Schneider
Selby	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Viebrock	Villa	Wagner
Wallace	Walton	Wasson	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wood	Wright
Yates	Madam Speaker			

NOES: 051

Barnitz	Bishop	Bland	Bringer	Brooks
Burnett	Campbell	Corcoran	Curls	Darrough
Davis 19	Donnelly	El-Amin	Fraser	George
Green	Harris 110	Harris 23	Haywood	Henke
Hoskins	Johnson 61	Johnson 90	Jolly	Kuessner
Lembke	LeVota	Liese	Lowe	Meadows
Muckler	Page	Portwood	Roark	Sager
Schoemehl	Seigfreid	Skaggs	Spreng	Swinger

Thompson	Vogt	Walker	Walsh	Ward
Whorton	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 002

Ransdall	Salva
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ABSENT WITH LEAVE: 008

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Marsh	Sander	Townley		

Representative Dixon declared the bill passed.

HB 938, relating to annuity contracts, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HB 938** was read the third time and passed by the following vote:

AYES: 130

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Black	Bland	Bough
Brown	Bruns	Byrd	Cooper 120	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Emery
Engler	Ervin	Fares	Fraser	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lembke	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Madam Speaker

NOES: 019

Barnitz	Bringer	Burnett	Donnelly	El-Amin
George	Johnson 90	Jolly	LeVota	Meadows
Sager	Shoemyer	Walsh	Whorton	Wilson 25
Wilson 42	Yaeger	Young	Zweifel	

PRESENT: 007

Boykins	Brooks	Campbell	Johnson 61	Lawson
Lowe	Ransdall			

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Sander	Townley			

Representative Dixon declared the bill passed.

HCS HB 947, relating to abatement of nuisances, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HB 947** was adopted.

On motion of Representative Crawford, **HCS HB 947** was read the third time and passed by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Cooper 120	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Green	Guest
Hampton	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Fraser	Harris 110	Ward	Whorton
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PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 009

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Holand	Lawson	Sander	Townley	

Representative Dixon declared the bill passed.

HB 962, relating to campaign finance disclosure, was taken up by Representative May.

Representative May moved that **HB 962** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 035

Angst	Bearden	Bough	Cooper 120	Crawford
Crowell	Cunningham 145	Davis 19	Deeken	Dethrow
Dougherty	Fares	Holand	Hoskins	Hunter
Jetton	Johnson 47	King	Kingery	Lager
Lipke	May	Mayer	McKenna	Morris
Myers	Purgason	Schlottach	Selby	Smith 118
Viebrock	Wagner	Wallace	Wasson	Whorton

NOES: 115

Abel	Baker	Barnitz	Bean	Behnen
Bishop	Black	Bland	Boykins	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Campbell	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis 122	Dempsey	Dixon	Donnelly
El-Amin	Emery	Engler	Ervin	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Hubbard	Icet	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
Kratky	Kuessner	Lembke	LeVota	Liese
Lowe	Luetkemeyer	Meadows	Meiners	Miller
Moore	Muckler	Munzlinger	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Rupp	Salva	Schaaf	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Villa	Vogt	Walker	Walsh
Walton	Ward	Wildberger	Willoughby	Wilson 119

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Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

PRESENT: 003

Lawson	Ruestman	Wright
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ABSENT WITH LEAVE: 010

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Hampton	Marsh	Sager	Sander	Townley

Representative Johnson (90) requested a verification of the roll call on the motion to third read and pass **HB 962**.

HB 975, relating to land trusts, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HB 975** was read the third time and passed by the following vote:

AYES: 136

Abel	Angst	Baker	Barnitz	Bean
Behnen	Bishop	Black	Boykins	Bringer
Brown	Bruns	Burnett	Byrd	Campbell
Cooper 120	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	McKenna	Meadows
Meiners	Miller	Moore	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Wilson 25	Witte	Yates	Young	Zweifel
Madam Speaker				

NOES: 010

Lembke	Mayer	Morris	Portwood	Ruestman
Stevenson	Viebrock	Wood	Wright	Yaeger

PRESENT: 005

Bough	Brooks	Haywood	Johnson 61	Wilson 42
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ABSENT WITH LEAVE: 012

Avery	Bearden	Bivins	Bland	Carnahan
Cooper 155	Dusenberg	Lawson	Marsh	Sander
Townley	Willoughby			

Representative Dixon declared the bill passed.

HCS HBs 998 & 905, relating to mobile home lease communities, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HBs 998 & 905** was adopted.

On motion of Representative Sutherland, **HCS HBs 998 & 905** was read the third time and passed by the following vote:

AYES: 143

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Corcoran	Crawford
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lembke	LeVota
Liese	Lowe	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Ruestman	Rupp	Sager
Salva	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

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NOES: 008

Barnitz	Cooper 120	Crowell	Kuessner	Lipke
Roark	Stevenson	Wood		

PRESENT: 002

Johnson 61	Whorton
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ABSENT WITH LEAVE: 010

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Lawson	Marsh	Sander	Townley	Willoughby

Representative Dixon declared the bill passed.

HB 1047, relating to third class cities, was taken up by Representative Guest.

On motion of Representative Guest, **HB 1047** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bivins	Carnahan	Cooper 155	Dethrow
Dusenberg	Lawson	Marsh	Sander	Townley
Willoughby				

Representative Dixon declared the bill passed.

Speaker Hanaway resumed the Chair.

HCS HB 1209, relating to the official state dinosaur, was taken up by Representative Jetton.

On motion of Representative Jetton, **HCS HB 1209** was adopted.

On motion of Representative Jetton, **HCS HB 1209** was read the third time and passed by the following vote:

AYES: 147

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Curls
Darrough	Daus	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Green	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Quinn	Ransdall
Rector	Reinhart	Richard	Ruestman	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 004

Davis 122	Graham	Harris 23	Roark
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PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 011

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Lawson	Marsh	Purgason	Sander	Townley
Willoughby				

Speaker Hanaway declared the bill passed.

HB 1275, relating to a conveyance in Newton County, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HB 1275** was read the third time and passed by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Cooper 120	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Seigfried
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 004

Campbell	Lowe	Spreng	Vogt
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ABSENT WITH LEAVE: 011

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Lawson	Marsh	Purgason	Sander	Townley
Willoughby				

Speaker Hanaway declared the bill passed.

HB 801, relating to a conveyance in Pettis County, was taken up by Representative Smith (118).

On motion of Representative Smith (118), **HB 801** was read the third time and passed by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Wildberger	Wilson 119
Wilson 130	Wilson 25	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bivins	Carnahan	Cooper 155	Dusenberg
Lawson	Marsh	Purgason	Sander	Townley
Willoughby	Wilson 42			

Speaker Hanaway declared the bill passed.

SIGNING OF HOUSE BILL

Having been duly signed in open session of the Senate, **HCS HBs 950 & 948** was delivered to the Governor by the Chief Clerk of the House.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1612 - Local Government
HB 1622 - Professional Registration and Licensing
HB 1631 - Special Committee on General Laws
HB 1634 - Local Government

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 859 - Special Committee on General Laws

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HB 1014**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, March 9, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Chris Shoemaker, District 8, hereby state and affirm that my vote as recorded on Pages 493 and 494 of the House Journal for Thursday, March 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of March 2004.

/s/ Chris Shoemaker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Larry Crawford, District 117, hereby state and affirm that my vote as recorded on Pages 495 and 496 of the House Journal for Thursday, March 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of March 2004.

/s/ Larry Crawford
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Hampton, District 147, hereby state and affirm that my vote as recorded on Pages 499 and 500 of the House Journal for Thursday, March 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of March 2004.

/s/ Mark Hampton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 1.
Possible Executive session. AMENDED
Public hearings to be held on: HB 1238, HB 1507, HCR 29

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, March 9, 2004, 8:00 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services. Possible mark up.
Executive session may follow. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, March 10, 2004, 8:00 a.m. Hearing Room 7.
Departments of Health, Mental Health, and Social Services. Possible mark up.
Executive session may follow. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 11, 2004, 8:15 a.m. Hearing Room 3.
Departments of Health, Mental Health, and Social Services. Possible mark up.
Executive session may follow. AMENDED

BUDGET

Wednesday, March 10, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session.
Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004,
HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Wednesday, March 10, 2004, 8:00 p.m. Hearing Room 3.
Possible Executive session.
Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004,
HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, March 11, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, March 11, 2004, Hearing Room 3 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CHILDREN AND FAMILIES

Tuesday, March 9, 2004, 5:00 p.m. Hearing Room 1.

Public hearings to be held on: HR 96, HB 1139

Executive session will be held on: HB 846

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, March 9, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1493, HB 1328, HB 1340

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HR 390, HB 1433, HB 1536

CORRECTIONS AND STATE INSTITUTIONS

Wednesday, March 10, 2004, Hearing Room 7 upon evening adjournment or 5:00 p.m.

Public hearing to be held on: HB 1444

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 9, 2004, Hearing Room 3 upon evening adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1482, HB 1427, HB 1403, HB 1479, HB 1447, HB 1505, HB 1400

ELECTIONS

Tuesday, March 9, 2004, Hearing Room 7 upon evening adjournment.

Executive session will precede the hearing. AMENDED

Public hearings to be held on: HB 1265, HJR 37, HJR 46

Executive session will be held on: HB 1249, HB 1494

Executive session may be held on: HJR 29

FINANCIAL SERVICES

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 6. AMENDED
Public hearings to be held on: HB 1027, HB 1231, HB 1285, HB 1509
Executive session will be held on: HB 1090, HB 1233, HB 1253

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 6.
Executive session may be held.
Public hearings to be held on: HB 1529, HB 1532, SS SCS SB 1099

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, March 11, 2004, 1:00 p.m. Hearing Room 1.
Report from Revision Subcommittee.
Oversight program evaluation on Office of Administration, Division of Facilities Management, State Leasing Practices and any other business.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.
Topics for discussion. Remarks from MoDOT, Inspector General,
MoDOT cleanup legislation, One Stop Shop.

JUDICIARY

Tuesday, March 9, 2004, House Chamber side gallery upon evening adjournment.
Executive session will be held on: HB 798

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 4. AMENDED
Public hearings to be held on: HB 1622, HB 1527, HB 837, HB 1172
Executive session may be held on: HB 970, HB 1246, HB 1422, HB 1622, HB 1527, HB 1197

SENIOR SECURITY

Tuesday, March 9, 2004, 5:00 p.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HCR 9, HB 1531, HB 943, HB 1204

SMALL BUSINESS

Wednesday, March 10, 2004, Hearing Room 4 upon morning adjournment.
Executive session may follow.
Public hearings to be held on: HB 1175, HR 756, HB 1572

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, March 9, 2004, 5:00 p.m. Hearing Room 4.
Executive session. AMENDED
Public hearings to be held on: HB 1566, HB 1631, SCS SB 859

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, March 9, 2004, 6:00 p.m. Hearing Room 2.

Public hearing to be held on: HB 1255

Executive session will be held on: HB 1097

TAX POLICY

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 881, HB 1032, HB 1067, HB 1210, HB 1158

Executive session may be held on: HB 971, HB 859, HB 1099

TOURISM AND CULTURAL AFFAIRS

Tuesday, March 9, 2004, 12:00 p.m. Hearing Room 5.

Possible Executive session.

Public hearing to be held on: HB 1547

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 7.

Committee will continue until all bills are heard or come back upon afternoon adjournment.

Public hearings to be held on: HB 1489, HB 1449, HB 928, HB 1442,

HB 1438, HB 1396, HB 1063, HB 1123, HB 1335, HB 1201, HB 1280

Executive session may be held on: HB 1366, HB 1408, HB 1437, HB 1284,

HB 1374, HB 1489, HB 1449, HB 928, HB 1442, HB 1438, HB 1396,

HB 1123, HB 1335, HB 1201, HB 1280, HB 1063

HOUSE CALENDAR

THIRTY-FIFTH DAY, TUESDAY, MARCH 9, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 32

HOUSE BILLS FOR SECOND READING

HB 1635 through HB 1640

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 28 - Roark (139)

2 HCS HJR 39, 38, 42 & 47 - Engler (106)

3 HCS HJR 35 - Dethrow (153)

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1014 - Bearden (16)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1304, HS, as amended, pending - Byrd (94)
- 6 HCS HB 1055, as amended - Bruns (113)
- 7 HCS HB 1305 - Byrd (94)
- 8 HCS HB 1215 - Engler (106)
- 9 HCS HB 898 - Johnson (47)
- 10 HCS HB 852 - Holand (135)
- 11 HCS HB 1290 - Portwood (92)
- 12 HCS HB 1278 - Luetkemeyer (115)
- 13 HCS HB 855 - Holand (135)
- 14 HCS HB 959 - Luetkemeyer (115)
- 15 HCS HB 1150 - May (149)
- 16 HB 1092 - Deeken (114)
- 17 HCS HB 1115 - Dempsey (18)
- 18 HB 1183 - Mayer (159)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/04/04)

- 1 HCS HB 1363 - Fares (91)
- 2 HCS HB 1439 - Crawford (117)
- 3 HB 826 - Kelly (144)
- 4 HB 1291 - Pearce (121)
- 5 HB 956 - May (149)
- 6 HB 1398 - Lager (4)
- 7 HCS HB 1399 - Lager (4)
- 8 HB 1259 - Threlkeld (109)
- 9 HB 1317 - Kingery (154)
- 10 HB 937 - Moore (20)
- 11 HB 904 - Luetkemeyer (115)
- 12 HB 824 - Seigfreid (26)
- 13 HCS HB 883 - Graham (24)
- 14 HB 884 - Ward (107)
- 15 HCS HB 912 - Page (82)
- 16 HB 1029, HCA 1 - Henke (11)
- 17 HB 1114 - Skaggs (31)
- 18 HB 1142, HCA 1 - Daus (67)
- 19 HCS HB 1171 - Rector (124)
- 20 HCS HB 1192 - Schlottach (111)

- 21 HB 1223 - Ward (107)
- 22 HCS HB 1471 - Brooks (37)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-FIFTH DAY, TUESDAY, MARCH 9, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Lord God, You are the Creator of all. We, together and individually, are the work of Your hands.

In the words of the psalmist we pray, "For You make me glad, O Lord, by Your deeds; at the works of Your hands, I rejoice." (Psalm 92:5)

O Lord, we are hard at work this morning. May our work imitate Your work through our great concern for the well-being of those whom we serve. May our work give You honor by our integrity throughout the day.

In faith we receive this teaching: "Entrust your work to the Lord, and your plans will succeed." (Proverbs 16:3)

And in prayer we ask, "Prosper the work of our hands for us! Prosper the work of our hands!" (Psalm 90:17)

You are our Creator and God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle Burrow, Michelle Kohler, Raenna Skinner, Kyle Moritz, Millicent P. Belt, Lara Bopp, Courtney Dull, Kathy Merkel, Randy Downs, Katie Monzyk, Joe Kamphoefner, Jake Voss, Antonio Flores, Antonio Hernandez, Joyce Salazar, Caleb Bethard, Jaclyn Rohrs, Tonya Goosen and Emily R. DeGregorio.

The Journal of the thirty-fourth day was approved as corrected.

SPECIAL RECOGNITION

Mayor Gerald Gilkey was introduced by Representative Emery and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 950 - Representative Kelly (144)
House Resolution No. 951 - Representative Shoemaker
House Resolution No. 952
through
House Resolution No. 965 - Representative St. Onge
House Resolution No. 966 - Representative Byrd
House Resolution No. 967 - Representative Zweifel
House Resolution No. 968
and
House Resolution No. 969 - Representative Shoemyer
House Resolution No. 970 - Representative Nieves
House Resolution No. 971 - Representatives Johnson (47) and Baker
House Resolution No. 972 - Representative Yates

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1641, introduced by Representatives Page, Zweifel, Donnelly, Bishop, Dougherty, Johnson (90), Skaggs, Henke, Willoughby, LeVota, Young, Kuessner, Walsh, Harris (110), Yaeger, Bringer, Muckler, Riback Wilson (25), Daus, George, Harris (23), Lowe, Liese, Burnett, Hoskins, Barnitz, Wildberger, Schoemehl, Meadows, Salva, Walker, Fraser, Boykins, Walton, Bland, El-Amin and Hubbard, relating to the coordination of benefits for the Medicare Prescription Drug, Improvement and Modernization Act of 2003.

HB 1642, introduced by Representatives Dempsey, Wildberger, Black, Schlottach, Page, Richard, Pearce, Reinhart, Ervin and Munzlinger, relating to life sciences reinvestment districts.

HB 1643, introduced by Representative Johnson (47), relating to police military leave.

HB 1644, introduced by Representative McKenna, relating to powers of certain first classification counties.

HB 1645, introduced by Representative Kelly (144), relating to enterprise zones.

HB 1646, introduced by Representatives Engler, Quinn, Wilson (130), Byrd, Stefanick and Yates, relating to false claims against the state.

HB 1647, introduced by Representatives Riback Wilson (25), Campbell and Holand, relating to licensing and permit fees.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 32 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1635 through **HB 1640** were read the second time.

Speaker Pro Tem Jetton assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1304, with HS, as amended, pending, relating to tort reform, was taken up by Representative Byrd.

Representative Byrd offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Page 4, Section 508.010, Line 23 of said page, by inserting after the word "**accrued**," the following:

"As used in this section, "the county where the cause of action accrued" shall mean the county where the plaintiff, or, in the case of a wrongful death action, the decedent, was first injured by the wrongful acts or negligent conduct alleged in the action."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Willoughby offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

Representative Goodman raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Byrd, **House Amendment No. 4** was adopted.

Representative Crowell offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Page 20, Section 538.213, Line 21 of said page, by inserting after all of said line the following:

"538.220. 1. In any action against a health care provider for damages for personal injury or death arising out of the rendering of or the failure to render health care services, past damages shall be payable in a lump sum.

2. At the request of any party to such action made prior to the entry of judgment, the court shall include in the judgment a requirement that future damages be paid [in whole or in part] in periodic or installment payments if the **sum**

of the total award of **past and future** damages in the action exceeds one hundred thousand dollars. Any judgment ordering such periodic or installment payments shall specify **a future periodic payment schedule, which shall include:** the recipient, the amount of each payment, the interval between payments, and the number of payments. **The duration of the future periodic payment schedule shall be for a period of time no less than the evidence of life expectancy presented at trial. The amount of each of the future periodic payments shall be determined by dividing the total amount of future damages by the number of future periodic payments. The court shall apply interest on such future periodic payments at a per annum interest rate no greater than the coupon issue yield equivalent, as determined by the Federal Reserve Board, of the average accepted auction price for the last auction of fifty-two week United States Treasury bills settled immediately prior to the date of the judgment. The judgment shall state the applicable interest rate. The state courts administrator shall distribute notice of such rate and any changes in such rate to the circuit clerks of all circuit courts in Missouri.** The parties shall be afforded the opportunity to agree on the manner of payment of future damages, [including the rate of interest, if any, to be applied,] subject to court approval. However, in the event the parties cannot agree, the unresolved issues shall be submitted to the court for resolution, either with or without a post-trial evidentiary hearing which may be called at the request of any party or the court. If a defendant makes the request for payment pursuant to this section, such request shall be binding only as to such defendant and shall not apply to or bind any other defendant.

3. As a condition to authorizing periodic payments of future damages, the court may require a judgment debtor who is not adequately insured to post security or purchase an annuity adequate to assure full payment of such damages awarded by the judgment. Upon termination of periodic payments of future damages, the court shall order the return of this security or so much as remains to the judgment debtor.

4. If a plaintiff and his attorney have agreed that attorney's fees shall be paid from the award, as part of a contingent fee arrangement, it shall be presumed that the fee will be paid at the time the judgment becomes final. If the attorney elects to receive part or all of such fees in periodic or installment payments from future damages, the method of payment and all incidents thereto shall be a matter between such attorney and the plaintiff and not subject to the terms of the payment of future damages, whether agreed to by the parties or determined by the court.

5. Upon the death of a judgment creditor, the right to receive payments of future damages, other than future medical damages, being paid by installments or periodic payments will pass in accordance with the Missouri probate code unless otherwise transferred or alienated prior to death. Payment of future medical damages will continue to the estate of the judgment creditor only for as long as necessary to enable the estate to satisfy medical expenses of the judgment creditor that were due and owing at the time of death, which resulted directly from the injury for which damages were awarded, and do not exceed the dollar amount of the total payments for such future medical damages outstanding at the time of death.

6. Nothing in this section shall prevent the parties from contracting and agreeing to settle and resolve the claim for future damages. If such an agreement is reached by the parties, the future periodic payment schedule will become moot."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Crowell offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Page 20, Section 538.213, Line 21 of said page, by inserting after all of said line the following:

"538.220. 1. In any action against a health care provider for damages for personal injury or death arising out of the rendering of or the failure to render health care services, past damages shall be payable in a lump sum.

2. At the request of any party to such action made prior to the entry of judgment, the court shall include in the judgment a requirement that future damages be paid in whole or in part in periodic or installment payments if the total award of damages in the action exceeds one hundred thousand dollars. Any judgment ordering such periodic or installment payments shall specify **a future medical periodic payment schedule, which shall include:** the recipient,

the amount of each payment, the interval between payments, and the number of payments. **The duration of the future medical payment schedule shall be for a period of time no less than the evidence of life expectancy presented at trial. The amount of each of the future medical periodic payments shall be determined by dividing the total amount of future medical damages by the number of future medical periodic payments.** The parties shall be afforded the opportunity to agree on the manner of payment of future damages, including the rate of interest, if any, to be applied, subject to court approval. However, in the event the parties cannot agree, the unresolved issues shall be submitted to the court for resolution, either with or without a post-trial evidentiary hearing which may be called at the request of any party or the court. If a defendant makes the request for payment pursuant to this section, such request shall be binding only as to such defendant and shall not apply to or bind any other defendant.

3. As a condition to authorizing periodic payments of future damages, the court may require a judgment debtor who is not adequately insured to post security or purchase an annuity adequate to assure full payment of such damages awarded by the judgment. Upon termination of periodic payments of future damages, the court shall order the return of this security or so much as remains to the judgment debtor.

4. If a plaintiff and his attorney have agreed that attorney's fees shall be paid from the award, as part of a contingent fee arrangement, it shall be presumed that the fee will be paid at the time the judgment becomes final. If the attorney elects to receive part or all of such fees in periodic or installment payments from future damages, the method of payment and all incidents thereto shall be a matter between such attorney and the plaintiff and not subject to the terms of the payment of future damages, whether agreed to by the parties or determined by the court.

5. Upon the death of a judgment creditor, the right to receive payments of future damages, other than future medical damages, being paid by installments or periodic payments will pass in accordance with the Missouri probate code unless otherwise transferred or alienated prior to death. Payment of future medical damages will continue to the estate of the judgment creditor only for as long as necessary to enable the estate to satisfy medical expenses of the judgment creditor that were due and owing at the time of death, which resulted directly from the injury for which damages were awarded, and do not exceed the dollar amount of the total payments for such future medical damages outstanding at the time of death.

6. Nothing in this section shall prevent the parties from contracting and agreeing to settle and resolve the claim for future damages. If such an agreement is reached by the parties, the future periodic payment schedule will become moot."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Abel raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** is out of order in that the member may not amend or substitute his own amendment without unanimous consent.

HCS HB 1304, with the point of order on House Substitute Amendment No. 1 for House Amendment No. 5, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 5 and HS, as amended, pending, was laid over.

SPECIAL RECOGNITION

Emily R. DeGregorio was introduced by Representative Jetton and recognized as a Joanne Breckenridge Scholar.

Katherine Melody Federer was introduced by Representative Bivins and recognized as a Joanne Breckenridge Scholar.

Tonya Goosen was introduced by Representative Self and recognized as a Joanne Breckenridge Scholar.

Millicent P. Belt was introduced by Representative Shoemaker and recognized as a Joanne Breckenridge Scholar.

Laura Lehman was introduced by Representative Yates and recognized as a Joanne Breckenridge Scholar.

Lacy Morris was introduced by Representative Kelly (144) and recognized as a Joanne Breckenridge Scholar.

Jaclyn Rohrs was introduced by Representative Miller and recognized as a Joanne Breckenridge Scholar.

Laurie Reichart was introduced by Representative Ervin and recognized as a Joanne Breckenridge Scholar.

Lara Bopp was introduced by Representative Byrd and recognized as a Joanne Breckenridge Scholar.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brooklyn Crawford, Ashley Williams, Shelby Owens and Laurie Reichert.

Representative Wilson (119) recognized Courtney Dull of Weaubleau School District, recipient of the State Award for the essay "My Favorite Teacher".

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 973 - Representative Carnahan
House Resolution No. 974 - Representative Engler
House Resolution No. 975 - Representative Moore
House Resolution No. 976 - Representative Sander
House Resolution No. 977 - Representative Hanaway
House Resolution No. 978 - Representative Barnitz
House Resolution No. 979
and
House Resolution No. 980 - Representative Davis (122)
House Resolution No. 981 - Representative Lager

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1648, introduced by Representatives Wasson, Jackson, Taylor, Richard, Jetton, Carnahan, Cunningham (145), Sander and Bough, relating to income taxation.

HB 1649, introduced by Representative Cunningham (86), relating to teacher certification.

HB 1650, introduced by Representative Dixon, relating to Missouri criminal record reviews.

PERFECTION OF HOUSE BILL

HCS HB 1304, with the point of order on House Substitute Amendment No. 1 for House Amendment No. 5, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 5 and HS, as amended, pending, relating to tort reform, was again taken up by Representative Byrd.

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

Representative Byrd offered **House Substitute Amendment No. 2 for House Amendment No. 5**.

*House Substitute Amendment No. 2
for
House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Page 20, Section 538.213, Line 21 of said page, by inserting after all of said line the following:

"538.220. 1. In any action against a health care provider for damages for personal injury or death arising out of the rendering of or the failure to render health care services, past damages shall be payable in a lump sum.

2. At the request of any party to such action made prior to the entry of judgment, the court shall include in the judgment a requirement that future damages be paid in whole or in part in periodic or installment payments if the total award of damages in the action exceeds one hundred thousand dollars. Any judgment ordering such periodic or installment payments shall specify **a future medical periodic payment schedule, which shall include:** the recipient, the amount of each payment, the interval between payments, and the number of payments. **The duration of the future medical payment schedule shall be for a period of time no less than the evidence of life expectancy presented at trial. The amount of each of the future medical periodic payments shall be determined by dividing the total amount of future medical damages by the number of future medical periodic payments.** The parties shall be afforded the opportunity to agree on the manner of payment of future damages, including the rate of interest, if any, to be applied, subject to court approval. However, in the event the parties cannot agree, the unresolved issues shall be submitted to the court for resolution, either with or without a post-trial evidentiary hearing which may be called at the request of any party or the court. If a defendant makes the request for payment pursuant to this section, such request shall be binding only as to such defendant and shall not apply to or bind any other defendant.

3. As a condition to authorizing periodic payments of future damages, the court may require a judgment debtor who is not adequately insured to post security or purchase an annuity adequate to assure full payment of such damages awarded by the judgment. Upon termination of periodic payments of future damages, the court shall order the return of this security or so much as remains to the judgment debtor.

4. If a plaintiff and his attorney have agreed that attorney's fees shall be paid from the award, as part of a contingent fee arrangement, it shall be presumed that the fee will be paid at the time the judgment becomes final. If the

attorney elects to receive part or all of such fees in periodic or installment payments from future damages, the method of payment and all incidents thereto shall be a matter between such attorney and the plaintiff and not subject to the terms of the payment of future damages, whether agreed to by the parties or determined by the court.

5. Upon the death of a judgment creditor, the right to receive payments of future damages, other than future medical damages, being paid by installments or periodic payments will pass in accordance with the Missouri probate code unless otherwise transferred or alienated prior to death. Payment of future medical damages will continue to the estate of the judgment creditor only for as long as necessary to enable the estate to satisfy medical expenses of the judgment creditor that were due and owing at the time of death, which resulted directly from the injury for which damages were awarded, and do not exceed the dollar amount of the total payments for such future medical damages outstanding at the time of death.

6. Nothing in this section shall prevent the parties from contracting and agreeing to settle and resolve the claim for future damages. If such an agreement is reached by the parties, the future periodic payment schedule will become moot."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Crowell offered **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 5.**

*House Amendment No. 1
to
House Substitute Amendment No. 2
for
House Amendment No. 5*

AMEND House Substitute Amendment No. 2 for House Amendment No. 5 to House Substitute for House Committee Substitute for House Bill No. 1304, Page 2, Line 8, by inserting after the words "periodic payments." the following:

"The court shall apply interest on such future periodic payments at a per annum interest rate no greater than the coupon issue yield equivalent, as determined by the Federal Reserve Board, of the average accepted auction price for the last auction of fifty-two week United States Treasury bills settled immediately prior to the date of the judgment. The judgment shall state the applicable interest rate."

On motion of Representative Crowell, **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 5** was adopted.

Representative Rupp assumed the Chair.

On motion of Representative Byrd, **House Substitute Amendment No. 2 for House Amendment No. 5, as amended**, was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves

Page	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 069

Abel	Barnitz	Bishop	Bough	Bringer
Brooks	Burnett	Campbell	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kuessner	Lawson
LeVota	Liese	Lowe	Meadows	Meiners
Muckler	Parker	Ransdall	Sager	Salva
Schneider	Schoemehl	Seigfreid	Selby	Shoemyer
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Boykins	Carnahan	Kratky
Marsh	McKenna	Skaggs		

Representative Stevenson offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Section 537.067, Page 12, Lines 14-25, Page 13, Lines 1-25, and Page 14, Lines 1-10, by deleting all of said lines and inserting in lieu thereof the following:

“537.067. [1. In all tort actions for damages, in which fault is not assessed to the plaintiff, the defendants shall be jointly and severally liable for the amount of the judgment rendered against such defendants.

2. In all tort actions for damages in which fault is assessed to plaintiff the defendants shall be jointly and severally liable for the amount of the judgment rendered against such defendants except as follows:

(1) In all such actions in which the trier of fact assesses a percentage of fault to the plaintiff, any party, including the plaintiff, may within thirty days of the date the verdict is rendered move for reallocation of any uncollectible amounts;

(2) If such a motion is filed the court shall determine whether all or part of a party's equitable share of the obligation is uncollectible from that party, and shall reallocate any uncollectible amount among the other parties, including a claimant at fault, according to their respective percentages of fault;

(3) The party whose uncollectible amount is reallocated is nonetheless subject to contribution and to any continuing liability to the claimant on the judgment;

(4) No amount shall be reallocated to any party whose assessed percentage of fault is less than the plaintiff's so as to increase that party's liability by more than a factor of two;

(5) If such a motion is filed, the parties may conduct discovery on the issue of collectibility prior to a hearing on such motion;

(6) Any order of reallocation pursuant to this section shall be entered within one hundred twenty days after the date of filing such a motion for reallocation. If no such order is entered within that time, such motion shall be deemed to be overruled;

(7) Proceedings on a motion for reallocation shall not operate to extend the time otherwise provided for post-trial motion or appeal on other issues.

Any appeal on an order or denial of reallocation shall be taken within the time provided under applicable rules of civil procedure and shall be consolidated with any other appeal on other issues in the case.

3. This section shall not be construed to expand or restrict the doctrine of joint and several liability except for reallocation as provided in subsection 2] **In all tort actions for damages a defendant may not be liable for more than the percentage of damages for which fault is attributed to such defendant by the trier of fact.**"; and

Further amend said house substitute, Section 508.120, Page 25, Line 12, by inserting the following after all of said line:

"[538.230. 1. In any action against a health care provider for damages for personal injury or death on account of the rendering of or failure to render health care services where fault is apportioned among the parties and persons released pursuant to subsection 3 of this section, the court, unless otherwise agreed by all the parties, shall instruct the jury to apportion fault among such persons and parties, or the court, if there is no jury, shall make findings, indicating the percentage of total fault of all the parties to each claim that is allocated to each party and person who has been released from liability under subsection 3 of this section.

2. The court shall determine the award of damages to each plaintiff in accordance with the findings, subject to any reduction under subsection 3 of this section and enter judgment against each party liable on the basis of the rules of joint and several liability. However, notwithstanding the provisions of this subsection, any defendant against whom an award of damages is made shall be jointly liable only with those defendants whose apportioned percentage of fault is equal to or less than such defendant.

3. Any release, covenant not to sue, or similar agreement entered into by a claimant and a person or entity against which a claim is asserted arising out of the alleged transaction which is the basis for plaintiff's cause of action, whether actually made a party to the action or not, discharges that person or entity from all liability for contribution or indemnity but it does not discharge other persons or entities liable upon such claim unless it so provides. However, the claim of the releasing person against other persons or entities is reduced by the amount of the released persons' or entities' equitable share of the total obligation imposed by the court pursuant to a full apportionment of fault under this section as though there had been no release.]" and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Lipke offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Section 537.067, Page 12, Line 19, by deleting the word "**fifty**" and inserting in lieu thereof the phrase "**seventy-five**".

Representative Byrd offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 6

AMEND House Substitute Amendment No. 1 for House Amendment No. 6 to House Substitute for House Committee Substitute for House Bill No. 1304, Page 1, Line 3, by deleting the words “seventy-five” and inserting in lieu thereof the words “fifty-one”.

On motion of Representative Byrd, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

On motion of Representative Lipke, **House Substitute Amendment No. 1 for House Amendment No. 6, as amended**, was adopted.

Representative Willoughby offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Section 508.120, Page 25, Line 12, by inserting the following after all of said line:

"Section B. Upon passage and approval of House Bill 1305 or any substitute of House Bill 1305 as truly agreed to and finally passed during the Second Regular Session of the 92nd General Assembly, House Bill 1304 or any substitute for House Bill 1304 as truly agreed to and finally passed during the Second Regular Session of the 92nd General Assembly shall, upon passage and approval, become effective on the same date as such House Bill 1305 or any substitute for House Bill 1305, and not otherwise."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Willoughby moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kuessner
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Parker	Ransdall
Salva	Schneider	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Zweifel	

NOES: 081

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Kelly 144
King	Kingery	Lembke	Lipke	Luetkemeyer
May	Mayer	Miller	Moore	Munzlinger
Myers	Nieves	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Avery	Campbell	Dusenberg	Kratky
Lager	Lawson	Marsh	Morris	Sager
Seigfreid	Taylor	Young		

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **House Amendment No. 7.**

Representative Harris (23) offered **House Amendment No. 8.**

Representative Goodman raised a point of order that **House Amendment No. 8** is not germane and goes beyond the scope of the underlying bill.

Representative Rupp requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Mayer offered **House Amendment No. 9.**

Representative Goodman raised a point of order that **House Amendment No. 9** is not germane and goes beyond the scope of the underlying bill.

Representative Rupp requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Bringer offered **House Amendment No. 10.**

Representative Goodman raised a point of order that **House Amendment No. 10** goes beyond the scope of the underlying bill.

Representative Rupp requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Burnett offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Page 18, Section 538.210, Line 2, by deleting the opening bracket on said line; and

Further amend said section, Line 3, by deleting the word “section” and inserting in lieu thereof the word “**chapter**”; and

Further amend said section, Line 13, by deleting the closing bracket on said line; and

Further amend said bill, Section 538.213, Page 19, Lines 4 through 25, and Page 20, Lines 1 through 21, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Jetton resumed the Chair.

Representative Burnett moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Green	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Parker	Sager	Salva	Schneider	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Yaeger	Zweifel

NOES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey

Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hampton
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Pearce	Phillips
Portwood	Pratt	Purgason	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Witte	Wood
Wright	Yates	Madam Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Boykins	Campbell	Graham	Kratky
Marsh	Quinn	Ransdall	Taylor	Young

Representative Burnett offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Pages 8 through 12, Section 537.035, by deleting all of said section; and

Further amend said bill, Page 14, Section 538.205, Line 24, by deleting all of said line and inserting in lieu thereof the words “**care facility**,”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	LeVota	Lowe
McKenna	Meadows	Meiners	Muckler	Ransdall
Sager	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Zweifel	

NOES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lawson	Lembke	Liese	Lipke	Luetkemeyer
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

PRESENT: 001

Seigfreid

ABSENT WITH LEAVE: 009

Avery	Boykins	Campbell	Graham	Kratky
Marsh	Schlottach	Taylor	Young	

Representative Harris (23) offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill No. 1304, Page 22, Section 2, Line 25, by inserting immediately at the end of said line the following:

“Section 3. 1. Any person may file a miscellaneous case for the purpose of securing copies of such person’s health care records or the health care records of any other individual for whom such person is the guardian or attorney-in-fact, or is a potential claimant for a wrongful death.

2. A miscellaneous case shall be filed in the circuit in which any of the health care records sought to be obtained are located.

3. The petition shall be filed according to the following guidelines:

(1) The petition shall contain the following:

(a) The name of the individual who received the health care services or medical treatment;

(b) A brief summary of the health care services or medical treatment received;

(c) A brief summary of the outcome of the health care services or medical treatment; and

(d) The names of the health care providers from whom health care records are being sought;

(2) The petition shall not contain allegations of negligence or demands, other than a general demand for access to health care records.

4. Within five business days of filing the miscellaneous case, the petitioner shall mail a copy of the petition by regular and certified mail to each health care provider listed in the petition. The petitioner shall certify to the court that the petition has been mailed as required.

5. After filing a miscellaneous case, the petitioner may request the health care records described in subsection 1 of this section by subpoena and, if necessary, subpoena the health care records custodian for a

deposition for the sole purpose of securing copies of the health care records and verifying their authenticity. Refusal to provide the requested records may be the basis for the court to impose sanctions or orders of contempt.

6. Filing of a miscellaneous case petition shall toll the applicable statute of limitations for one hundred twenty days on any claim for injuries or death caused by professional negligence of a health care provider, but in no event shall the applicable statute of limitations be tolled under this section for more than one hundred twenty days.

7. The naming or listing of a health care provider as a person from whom records are requested shall not be considered for any reporting purposes as a claim made against the health care provider.

8. A health care provider or any person or entity acting on behalf of a health care provider shall not charge more than is allowable under section 197.227, RSMo, for providing copies of health care records.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Hanaway resumed the Chair.

Representative Harris (23) moved that **House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Barnitz	Bishop	Bland	Bringer	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Goodman	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Parker	Ransdall	Sager	Salva	Schneider
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Zweifel		

NOES: 083

Angst	Baker	Bean	Bearden	Behnen
Bivins	Bough	Brown	Bruns	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lawson	Lembke	Lipke
Luetkemeyer	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 011

Abel	Avery	Black	Boykins	Brooks
Campbell	Kratky	Marsh	Smith 118	Taylor
Young				

On motion of Representative Byrd, **HS HCS HB 1304, as amended**, was adopted.

On motion of Representative Byrd, **HS HCS HB 1304, as amended**, was ordered perfected and printed by the following vote:

AYES: 091

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bringer	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Harris 110
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	Kelly 36
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	May	Mayer	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Seigfreid	Self	Shoemaker	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Threlkeld	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 061

Barnitz	Bishop	Bland	Boykins	Brooks
Burnett	Carnahan	Corcoran	Curls	Darrough
Daus	Davis 122	Donnelly	Dougherty	El-Amin
Fraser	George	Graham	Green	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Johnson 61
Johnson 90	Jolly	Jones	Kuessner	LeVota
Liese	Lowe	McKenna	Meadows	Muckler
Parker	Ransdall	Sager	Salva	Schneider
Schoemehl	Selby	Shoemyer	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 011

Abel
Kratky
Young

Avery
Lawson

Bough
Marsh

Campbell
Taylor

Hampton
Townley

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1575 - Communications, Energy and Technology

HB 1604 - Agriculture

HB 1610 - Transportation and Motor Vehicles

HB 1614 - Health Care Policy

HB 1628 - Job Creation and Economic Development

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1298 - Crime Prevention and Public Safety

HB 1508 - Transportation and Motor Vehicles

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1187**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **HB 1136**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 1207**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1179**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1188**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1456**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 985**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 1347**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 996**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1288**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 41**.

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 41

WHEREAS, the United States Fish and Wildlife Service has mandated that the United States Army Corps of Engineers implement a plan for operating the Missouri River that calls for a "spring rise" and a "summer low flow." This plan would result in an increase in the flow of the Missouri River in the spring when the risk of flooding of bottomland farms is already high. The plan also would result in a reduction of the flow of the Missouri River in the summer of each year, thereby negatively affecting farmers, utilities, and businesses from Omaha to the Gulf of Mexico, purportedly to improve habitat for the pallid sturgeon, an endangered fish; and

WHEREAS, the United States Fish and Wildlife Service has dictated these controversial flow changes primarily to benefit only a short segment of the Missouri River where pallid sturgeon have not even been found in six years of sampling; and

WHEREAS, analyses have shown that low river flows could actually degrade habitat important to the pallid sturgeon in segments of the lower Missouri and Mississippi Rivers where pallid sturgeon have been found in recent years; and

WHEREAS, in the summer months of 2002 and 2003, record low flows on the Missouri River increased transportation costs for Missouri farmers by halting navigation, increased power plant cooling costs for private utilities, increased drinking water treatment costs for public utilities across the state of Missouri, and caused water quality violations with the temperature in the Missouri River exceeding 90 degrees. Despite the economic harm already experienced by Missourians, the United States Fish and Wildlife Service has unilaterally mandated summer low flows during the next two years that are virtually identical to those experienced in 2002 and 2003; and

WHEREAS, while the United States Fish and Wildlife Service has failed to provide sufficient scientific evidence that proves that their mandated "spring rise" and "summer low flow" will improve habitat for the pallid sturgeon, analysis has shown that their proposal will increase the risk of flooding bottomland farms along the Missouri River, will result in economic harm to public and private utilities, and will risk the jobs of those who rely on the Missouri and Mississippi Rivers for their livelihoods; and

WHEREAS, the so-called "drought conservation measures" under consideration by the United States Army Corps of Engineers for inclusion in the Missouri River Master Manual would take away usable water from Missourians by shifting the storage of more water to upstream reservoirs while decreasing the amount of water available for other designated downstream uses; and

WHEREAS, the Missouri River contributes up to 65 percent of the Mississippi River flow at St. Louis during low-water conditions; and

WHEREAS, reduction of Missouri River flows would result in more frequent and more costly impediments to commerce on the Mississippi River where more than 120 million tons of cargo, which includes 60 percent of the nation's grain harvest, is shipped annually past St. Louis.

WHEREAS, the United States Eighth Circuit Court of Appeals recently affirmed that the dominant functions of the Missouri River Reservoir System are flood control and navigation, with recreation and other interests being secondary uses:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby respectfully request that the President of the United States direct the United States Fish and Wildlife Service and the United States Army Corps of Engineers to develop a plan for operating the Missouri River Reservoir System that will not increase the risk of flooding for bottomland farmers and will not harm the economy of the Midwestern states by failing to provide adequate flows to meet all designated downstream uses on the Missouri and Mississippi Rivers; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, each member of the Missouri Congressional Delegation, the United States Fish and Wildlife Service, and the United States Army Corps of Engineers.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 754**, entitled:

An act to repeal sections 67.793, 67.799, 67.1706, and 67.1754, RSMo, and to enact in lieu thereof five new sections relating to the creation of exhibition center and recreational facility districts.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 937**, entitled:

An act to amend chapter 28, RSMo, by adding thereto two new sections relating to the Missouri catalog of assistance programs, with sunset provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1040**, entitled:

An act to repeal sections 260.370, 260.375, 260.380, 260.475, and 260.479, RSMo, and to enact in lieu thereof five new sections relating to hazardous waste management, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCS SCR 41 - Conservation and Natural Resources

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 1052 - Special Committee on General Laws

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, March 10, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Al Liese, District 79, hereby state and affirm that my vote as recorded on Page 522 of the House Journal for Monday, March 8, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of March 2004.

/s/ Al Liese
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bob Behnen, District 2, hereby state and affirm that my vote as recorded on Page 524 of the House Journal for Monday, March 8, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of March 2004.

/s/ Bob Behnen
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Michael Corcoran, District 77, hereby state and affirm that my vote as recorded on Page 524 of the House Journal for Monday, March 8, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of March 2004.

/s/ Michael Corcoran
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Wright, District 137, hereby state and affirm that my vote as recorded on Page 526 of the House Journal for Monday, March 8, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of March 2004.

/s/ Mark Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 527 of the House Journal for Monday, March 8, 2004 showing that I voted present was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of March 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Chuck Purgason, District 151, hereby state and affirm that my vote as recorded on Pages 539, 540, and 541 of the House Journal for Monday, March 8, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and

affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of March 2004.

/s/ Chuck Purgason
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 10, 2004, Hearing Room 1 upon evening adjournment.

Possible Executive session.

Public hearing to be held on: HB 1604

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, March 10, 2004, 8:00 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Possible mark up.

Executive session may follow. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 11, 2004, 8:15 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Possible mark up.

Executive session may follow. AMENDED

BUDGET

Wednesday, March 10, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. CANCELLED

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004,
HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Wednesday, March 10, 2004, 8:00 p.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004,
HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, March 11, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, March 11, 2004, Hearing Room 3 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Thursday, March 11, 2004, House Chamber side gallery upon morning adjournment.

Executive session will be held on: HB 1493

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HR 390, HB 1433, HB 1536, SCS SCR 41

CONSERVATION AND NATURAL RESOURCES

Thursday, March 11, 2004, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 808, HB 1326, HB 1279

CORRECTIONS AND STATE INSTITUTIONS

Wednesday, March 10, 2004, Hearing Room 7 upon evening adjournment. AMENDED

Public hearings to be held on: HB 1444, SCR 35

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, March 11, 2004, 8:30 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1258, HB 1298

EDUCATION

Wednesday, March 10, 2004, Hearing Room 3 upon afternoon adjournment.

Public hearings to be held on: HB 1517, HB 935

Executive session may be held on: HB 935

EDUCATION

Thursday, March 11, 2004, House Chamber side gallery upon morning adjournment.

Executive session will be held on: HB 1493

HEALTH CARE POLICY

Wednesday, March 10, 2004, Hearing Room 6 upon evening adjournment.

Public hearings to be held on: HB 1563, HB 1614

Executive session will be held on: HB 1477, HB 1563, HB 1614

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 6. AMENDED

Public hearings to be held on: HB 1529, HB 1532, HB 1628, SS SCS SB 1099

Executive session will be held on: HB 1529, HB 1628

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, March 11, 2004, 1:00 p.m. Hearing Room 1.

Report from Revision Subcommittee.

Oversight program evaluation on Office of Administration, Division of Facilities Management, State Leasing Practices and any other business.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

JUDICIARY

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 876, HB 1535, HB 1616, HB 1369, HB 1148, HB 1143

Executive session will be held on: HB 1350, HB 1535, HB 1616, HB 1213, HB 1404, HB 1146, HB 876

LOCAL GOVERNMENT

Thursday, March 11, 2004, 8:15 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 1292, HB 1608, HB 1634, HB 1612, HB 1321

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 10, 2004, 8:00 a.m. Hearing Room 6.

Executive session may be held on: HB 970, HB 1246, HB 1422, HB 1622, HB 1527, HB 1197

RETIREMENT

Thursday, March 11, 2004, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1316, HB 1356, HB 1357, HB 1480

RULES

Thursday, March 11, 2004, 8:30 a.m. House Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HR 95, HR 264, HR 372, HR 392, HR 397,
HR 464, HR 485, HR 624, HR 650, HR 720, HR 745, HR 796

SMALL BUSINESS

Wednesday, March 10, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1175, HR 756, HB 1572

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 7.

Committee will continue until all bills are heard
or come back upon afternoon adjournment. AMENDED

Public hearings to be held on: HB 1489, HB 1449, HB 928, HB 1442, HB 1438, HB 1610,
HB 1508, HB 1504, HB 1396, HB 1063, HB 1123, HB 1335, HB 1201, HB 1280

Executive session may be held on: HB 1366, HB 1049, HB 1408, HB 1437, HB 1284,
HB 1374, HB 1489, HB 1449, HB 928, HB 1442, HB 1438, HB 1610, HB 1508,
HB 1504, HB 1396, HB 1123, HB 1335, HB 1201, HB 1280, HB 1063

TRANSPORTATION AND MOTOR VEHICLES

Thursday, March 11, 2004, 8:00 a.m. House Chamber side gallery. AMENDED

Executive session will be held on: HB 1366, HB 1049, HB 1408, HB 1437, HB 1284,
HB 1374, HB 1489, HB 1449, HB 928, HB 1442, HB 1438, HB 1610, HB 1508,
HB 1504, HB 1396, HB 1063, HB 1123, HB 1335, HB 1201, HB 1280

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 10, 2004, 12:00 p.m. Hearing Room 3.

Executive session.

HOUSE CALENDAR

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 10, 2004

HOUSE BILLS FOR SECOND READING

HB 1641 through HB 1650

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1014 - Bearden (16)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1041, as amended, HSA 1 for HA 10 and HA 10, pending - Cunningham (86)
- 3 HCS HB 978 - Baker (123)
- 4 HCS HB 1380 - Lager (4)
- 5 HCS HB 1055, as amended - Bruns (113)
- 6 HCS HB 1305 - Byrd (94)
- 7 HCS HB 1215 - Engler (106)
- 8 HCS HB 898 - Johnson (47)
- 9 HCS HB 852 - Holand (135)
- 10 HCS HB 1290 - Portwood (92)
- 11 HCS HB 1278 - Luetkemeyer (115)
- 12 HCS HB 855 - Holand (135)
- 13 HCS HB 959 - Luetkemeyer (115)
- 14 HCS HB 1150 - May (149)
- 15 HB 1092 - Deeken (114)
- 16 HCS HB 1115 - Dempsey (18)
- 17 HB 1183 - Mayer (159)
- 18 HCS HB 1207 - Icet (84)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/04/04)

- 1 HCS HB 1363 - Fares (91)
- 2 HCS HB 1439 - Crawford (117)
- 3 HB 826 - Kelly (144)
- 4 HB 1291 - Pearce (121)
- 5 HB 956 - May (149)
- 6 HB 1398 - Lager (4)
- 7 HCS HB 1399 - Lager (4)
- 8 HB 1259 - Threlkeld (109)
- 9 HB 1317 - Kingery (154)
- 10 HB 937 - Moore (20)
- 11 HB 904 - Luetkemeyer (115)
- 12 HB 824 - Seigfreid (26)
- 13 HCS HB 883 - Graham (24)
- 14 HB 884 - Ward (107)
- 15 HCS HB 912 - Page (82)
- 16 HB 1029, HCA 1 - Henke (11)

- 17 HB 1114 - Skaggs (31)
- 18 HB 1142, HCA 1 - Daus (67)
- 19 HCS HB 1171 - Rector (124)
- 20 HCS HB 1192 - Schlottach (111)
- 21 HB 1223 - Ward (107)
- 22 HCS HB 1471 - Brooks (37)

(3/10/04)

- 1 HCS HB 985 - Wood (62)
- 2 HB 996 - Dusenberg (54)
- 3 HCS HB 1136 - Rupp (13)
- 4 HB 1187 - Ervin (35)
- 5 HB 1188 - Lipke (157)
- 6 HCS HB 1288 - Dougherty (53)
- 7 HCS HB 1179 - Corcoran (77)
- 8 HCS HB 1347 - Jetton (156)
- 9 HCS HB 1456 - Black (161)

HOUSE BILL FOR THIRD READING

HS HCS HB 1304 - Byrd (94)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 754
- 2 SCS SB 937
- 3 SCS SB 1040

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 10, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, "Observe people who are good at their work - skilled workers are always in demand and admired; they don't take a back seat to anyone." May we always acknowledge that whatever skills we have obtained, knowledge we have acquired, or recognition we have gained, was given to us by You.

Give us the endurance and strength to persevere throughout this day and all the way to the end of the session. Everything we need, everything we know, everything we have been shown, prepares us for this moment in time. We are people who are blessed by the abundance of Your hand.

We receive Your love and grace beyond measure.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Landon Riley, Isaac Hindman, Elizabeth Hindman, Kathleen Hindman, Stephanie Miller, Sarah Miller, Josef Webster, Brian Booker, Ceara Nash, Alyssia Winston, Cory Douthat, Connor Douthat, Braddy Phillips, Blaise Phillips, Ryan King, Emily King, Hannah Walden and Joshua Walden.

The Journal of the thirty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 982 - Representative Hunter
House Resolution No. 983 - Representative Yates
House Resolution No. 984 - Representative Fares
House Resolution No. 985
through
House Resolution No. 987 - Representative Pratt

HOUSE CONCURRENT RESOLUTION

Representatives Zweifel and Jones offered House Concurrent Resolution No. 34.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1651, introduced by Representatives Goodman and Lipke, relating to court procedures.

HB 1652, introduced by Representatives Brown and Salva, relating to solid waste.

HB 1653, introduced by Representatives Brown, Dusenberg and Wilson (119), relating to consolidated public library districts.

HB 1654, introduced by Representatives Smith (14), Page, Meiners, Schaaf and McKenna, relating to insurance coverage for treatment of infertility.

HB 1655, introduced by Representative Johnson (90), relating to tax increment financing.

SECOND READING OF HOUSE BILLS

HB 1641 through **HB 1650** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 754, **SCS SB 937** and **SCS SB 1040** were read the second time.

COMMITTEE REPORT

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 1566**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 1305, relating to medical malpractice insurance, was taken up by Representative Byrd.

Representative Harris (23) offered **House Amendment No. 1**.

Representative Goodman raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Willoughby offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1305, Page 7, Section B, Lines 1 through 6, by deleting all of said lines.

Representative Willoughby moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Parker
Ransdall	Sager	Salva	Schneider	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Witte	Yaeger
Young	Zweifel			

NOES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lawson	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Pearce
Phillips	Portwood	Pratt	Quinn	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery

Purgason

Rector

Wilson 42

Representative Harris (23) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1305, Page 4, Section 383.035, Line 87, by inserting immediately at the end of said line the following:

“383.225. Any entity issuing a medical malpractice liability policy or self insurance policy issued for medical malpractice liability purposes shall actuarially determine at least annually, the amount of costs savings incurred by the issuers as a result of the enactment of the provisions of section 538.205 to 538.230, RSMo. and shall reduce such insured’s premiums accordingly.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Yates assumed the Chair.

Representative Harris (23) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	LeVota
Liese	Lowe	Mayer	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Sander	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Villa
Vogt	Walker	Walsh	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Witte	Yaeger
Young	Zweifel			

NOES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lawson
Lembke	Lipke	Luetkemeyer	Marsh	May
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood

Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Boykins	Dempsey	El-Amin	Haywood
Thompson	Wagner	Walton	Wilson 42	

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 071

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery El-Amin Skaggs

On motion of Representative Byrd, **HCS HB 1305** was adopted.

On motion of Representative Byrd, **HCS HB 1305** was ordered perfected and printed by the following vote:

AYES: 142

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 016

Bland	Campbell	Donnelly	Harris 23	Haywood
Johnson 90	Lowe	Shoemyer	Spreng	Thompson
Vogt	Walsh	Walton	Wilson 25	Wilson 42
Yaeger				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 004

Avery

El-Amin

Hunter

Schaaf

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1014, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1014, Page 2, Section 14.040, Line 4, by inserting two new sections to immediately follow said section to read as follows:

“Section 14.043. There is transferred out of the state treasury, chargeable to the General Revenue Fund, amounts from income tax refunds designated by taxpayers for deposit in the Division of Aging and Elderly Home Delivered Meals Trust Fund, Veterans’ Trust Fund, Children’s Trust Fund, Workers Memorial Fund, and Missouri National Guard Trust Fund
From General Revenue Fund \$3,000E

Section 14.044. There is transferred out of the state treasury, chargeable to the Workers Memorial Fund, amounts from income tax refunds erroneously deposited to said fund, to the General Revenue Fund
From Workers Memorial Fund \$250E”;

and adjust bill totals accordingly.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

Representative Threlkeld offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1014, Page 2, Section 14.040, Line 4, by inserting one new section to immediately follow said section to read as follows:

“Section 14.045. To the Department of Transportation
For the Rail Program
For state participation in the joint/federal Amtrak
Rail Passenger Service Program
From General Revenue Fund \$884,815”;

and adjust bill totals accordingly.

On motion of Representative Threlkeld, **House Amendment No. 2** was adopted by the following vote:

AYES: 111

Abel
Bearden

Angst
Bishop

Baker
Bivins

Barnitz
Black

Bean
Bland

Boykins	Brown	Bruns	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Deeken	Dempsey	Dixon
Donnelly	Dusenberg	Ervin	Fares	Fraser
George	Graham	Green	Hampton	Harris 110
Haywood	Hilgemann	Hobbs	Ice	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Muckler	Myers
Nieves	Page	Pearce	Phillips	Portwood
Pratt	Quinn	Reinhart	Richard	Rupp
Sager	SchAAF	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Smith 118	Spreng
St. Onge	Stefanick	Sutherland	Thompson	Threlkeld
Townley	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Whorton	Wilson 25
Wilson 42	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 043

Behnen	Bough	Bringer	Brooks	Burnett
Davis 19	Dethrow	Dougherty	El-Amin	Emery
Goodman	Guest	Harris 23	Henke	Holand
Hunter	Jackson	Johnson 90	Kuessner	Meadows
Morris	Munzlinger	Parker	Roark	Ruestman
Salva	Sander	Shoemaker	Shoemyer	Skaggs
Smith 14	Stevenson	Swinger	Taylor	Viebrock
Ward	Wasson	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright		

PRESENT: 001

Engler

ABSENT WITH LEAVE: 008

Avery	Hoskins	Hubbard	Johnson 61	Purgason
Ransdall	Rector	Willoughby		

On motion of Representative Bearden, **HCS HB 1014, as amended**, was adopted.

On motion of Representative Bearden, **HCS HB 1014, as amended**, was ordered perfected and printed.

SUPPLEMENTAL CALENDAR

(March 10, 2004)

HOUSE BILL FOR PERFECTION

HCS HB 1566 - Stefanick

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Yates.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Isabelle Mercedes Herrera.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 988 - Representative Quinn
House Resolution No. 989 - Representative Dusenberg
House Resolution No. 990 - Representative Willoughby
House Resolution No. 991 - Representatives Hubbard and Thompson
House Resolution No. 992 - Representative Hunter
House Resolution No. 993
and
House Resolution No. 994 - Representative Lowe
House Resolution No. 995
through
House Resolution No. 997 - Representative Jones
House Resolution No. 998 - Representative Moore

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1656, introduced by Representative Jones, relating to supervision of paroled persons.

HB 1657, introduced by Representatives Jones, Young, Sanders Brooks, Fraser, Thompson, Haywood, Hilgemann, Walker, Boykins, Curls, Johnson (61), Wilson (42), Walton, Bishop, Wildberger, Hoskins, Donnelly, Lowe, El-Amin, Zweifel, Riback Wilson (25), Bland, Harris (23), LeVota and Page, relating to emergency contraception.

HB 1658, introduced by Representatives Jones, Daus, Haywood, Hilgemann, Thompson, Villa, Johnson (61), Wilson (42), Hubbard, Carnahan, Hoskins, El-Amin, Boykins, Walton, Curls and Bland, relating to Harris-Stowe State College.

HB 1659, introduced by Representative Jones, relating to special business districts.

HB 1660, introduced by Representative Lager, relating to accident reports.

HB 1661, introduced by Representatives Wilson (130), Jackson, Hobbs, Nieves, Ruestman and Stevenson, relating to school for the deaf.

HB 1662, introduced by Representative Cunningham (86), relating to workers' compensation.

HB 1663, introduced by Representative Sander, relating to special license plates.

HB 1664, introduced by Representatives Hanaway, Wilson (119), Cooper (120), Reinhart, Page, Quinn, Pearce and Yates, relating to business entities.

HB 1665, introduced by Representatives Hanaway, Wilson (119), Cooper (120), Reinhart, Page, Pearce and Yates, relating to securities regulation.

HB 1666, introduced by Representatives Ruestman, Hunter, Stevenson, Viebrock, Wilson (130), Reinhart, Myers, Crowell, Bean, Dempsey, May, Kingery, Wright, St. Onge, Dougherty, Baker, Sander, Nieves, Self, Icet, Dixon, Bivins, Schaaf, Ervin, Schlottach, Munzlinger, Lembke, Threlkeld, Pearce and Cooper (155), relating to special license plates for the American Heart Association.

HB 1667, introduced by Representatives Ruestman, Viebrock, Hunter, Stevenson, Wilson (130), Crowell, Bean, Reinhart, Wright, Myers, Dempsey, Morris, Guest, May, Kingery, Pearce, Emery, Byrd, Wilson (119), St. Onge, Dougherty, Baker, Stefanick, Sander, Nieves, Self, Lager, Quinn, Lipke, Goodman, Icet, Dixon, Bivins, Schaaf, Munzlinger, Mayer, Cooper (155), Ervin, Schlottach, Engler, Bough, Purgason, Sutherland, Dusenber, Jackson, Hobbs, Rector, Lembke, Threlkeld, Bearden, Portwood, Cooper (120), Townley, Wood, Cunningham (145), King and Smith (118), relating to the designation of a certain highway.

HB 1668, introduced by Representatives Schneider, Dempsey, Kratky, Corcoran, Ervin, Wood, Johnson (47), Dixon, Jackson, Hubbard, Cooper (120), Ruestman, Smith (118), Moore, Deeken, Lager, Smith (14) and Parker, relating to the creation of theater, cultural arts, and entertainment districts.

PERFECTION OF HOUSE BILLS

HCS HB 852, relating to immunizations, was taken up by Representative Holand.

Representative Holand offered **HS HCS HB 852**.

Representative Harris (23) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 852, Page 1, Section 191.235, Line 11, by deleting the word "eight" and inserting in lieu thereof the word "**seven**"; and

Further amend said section, Page 2, Line 9, by deleting the word "an" and inserting in lieu thereof the words "**a pending**".

Representative Harris (23) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Holand, **HS HCS HB 852** was adopted.

On motion of Representative Holand, **HS HCS HB 852** was ordered perfected and printed.

HCS HB 1215, relating to escape from commitment, was taken up by Representative Engler.

On motion of Representative Engler, **HCS HB 1215** was adopted.

On motion of Representative Engler, **HCS HB 1215** was ordered perfected and printed.

HB 1183, relating to the county law enforcement restitution fund, was taken up by Representative Mayer.

Representative Smith (118) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1183, Page 4, Section 559.021, Line 47, by inserting immediately after said line the following:

"Section 1. After September 1, 2004, no fund shall be created to be used as a depository for moneys received or collected to fund additional costs and expenses incurred by any county office. Any money received or collected to fund additional costs and expenses incurred by any county office, excluding any moneys collected pursuant to any section in effect before September 1, 2004, shall be deposited in the general revenue fund of the county."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 1** was adopted.

On motion of Representative Mayer, **HB 1183, as amended**, was ordered perfected and printed.

HCS HB 1290, relating to income tax refund designations, was taken up by Representative Portwood.

Representative Portwood offered **HS HCS HB 1290**.

On motion of Representative Portwood, **HS HCS HB 1290** was adopted.

On motion of Representative Portwood, **HS HCS HB 1290** was ordered perfected and printed.

HCS HB 959, relating to financial services, was taken up by Representative Luetkemeyer.

Representative Luetkemeyer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 959, Page 14, Section 408.480, Line 1 of said section, by deleting the word “**changes**” and by inserting in lieu thereof the word “**charges**”; and

Further amend said bill, Page 16, Section 570.223, Lines 1 through 104 of said section, by deleting such section; and

Further amend said bill, Page 19, Section 570.224, Lines 1 through 9 of said section, by deleting such section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Luetkemeyer, **House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 959, Page 16, Section 443.130, Line 2, by deleting said line and by inserting in lieu thereof the following:

“**debt secured pursuant to this chapter**, does not, within [fifteen] **forty-five** [business] days after”; and

Further amend said section, Line 5 of said section, by deleting Lines 5 and 6 and by inserting in lieu thereof the following:

“aggrieved] **mortgagor for an amount of three hundred dollars a day, but no more than** ten percent [upon] of the amount of the”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 2** was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander

Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 070

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 004

Avery	Miller	Wagner	Willoughby
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On motion of Representative Luetkemeyer, **HCS HB 959, as amended**, was adopted.

On motion of Representative Luetkemeyer, **HCS HB 959, as amended**, was ordered perfected and printed.

HCS HB 1115, relating to the Commonsense Consumption Act, was taken up by Representative Dempsey.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1115, Page 2, Section 537.900, Line 19, by inserting after the word “marketer” the following: “, **retailer**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 1** was adopted.

On motion of Representative Dempsey, **HCS HB 1115, as amended**, was adopted.

On motion of Representative Dempsey, **HCS HB 1115, as amended**, was ordered perfected and printed.

HCS HB 898, relating to a prescription drug repository program, was taken up by Representative Johnson (47).

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 898, Page 3, Section 196.979, Line 20, by inserting after the word "**fee**" the following: "**, not to exceed a maximum of two hundred percent of the Medicaid dispensing fee,**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 1** was adopted.

Representative Johnson (47) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 898, Page 4, Section 196.984, Line 12, by inserting after the word "**program**" the following:

". For purposes of this subdivision, "economic need" means a net family income below three hundred percent of the federal poverty level"; and

Further amend said bill, Page 4, Section 196.984, Lines 33 to 35, by deleting all of said lines and inserting in lieu thereof the following:

"2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 196.970 to 196.984 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. Sections 196.970 to 196.984 and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 2** was adopted.

Representative Pearce offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 898, Page 1, Section 196.973, Line 10, by deleting the word "**and**"; and

Further amend said bill, Page 1, Section 196.973, Line 11, by inserting at the end of said line the following:

"and
(h) A podiatrist"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pearce, **House Amendment No. 3** was adopted.

On motion of Representative Johnson (47), **HCS HB 898, as amended**, was adopted.

On motion of Representative Johnson (47), **HCS HB 898, as amended**, was ordered perfected and printed.

HCS HB 855, relating to health insurance, was taken up by Representative Holand.

Representative Holand offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 855, Page 3, Section 376.810, Line 20, by deleting all of said lines and inserting in lieu thereof the following:

"policy" shall also include [group or individual contract] **individually underwritten coverage** issued by a health maintenance"; and

Further amend said bill, Page 6, Section 376.826, Line 1, by deleting the number "376.840" and inserting in lieu thereof the following: "[376.840] **376.836**"; and

Further amend said bill, Page 6, Section 376.826, Line 10, by deleting all of said line and inserting in lieu thereof the following:

"provide for hospital treatments. The term shall also include any [group or individual contract] **individually underwritten coverage**"; and

Further amend said bill, Page 7, Section 376.836, Lines 6 to 10, by deleting all of said lines and inserting in lieu thereof the following:

"2. [The director shall perform a study to assess the impact of the mental health and substance abuse insurance act on insurers, business interests, providers, and consumers of mental health and substance abuse treatment services. The director shall report the findings of this study to the general assembly by January 1, 2004.] **The provisions of sections 376.825 to 376.836 shall not expire on January 1, 2005.**"; and

Further amend said bill, Page 8, Section 376.1550, Line 62, by inserting at the end of said line the following:

"The director shall promulgate rules establishing a procedure and appropriate standards for making such a demonstration. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holand, **House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 855, Pages 1 and 2, Section 376.779, Lines 1 through 37, by removing said section from the bill; and

Further amend said bill, Page 8, Section 376.1550, Line 30, by adding after the word, “**Disorders;**” the following, “**except treatment for alcoholism and chemical dependency.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Stevenson moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Speaker Hanaway resumed the Chair.

On motion of Representative Holand, **HCS HB 855, as amended**, was adopted by the following vote:

AYES: 113

Abel	Barnitz	Behnen	Bishop	Bivins
Black	Bland	Bough	Bringer	Brooks
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Curls	Darrough	Daus	Davis 122
Deeken	Dempsey	Dougherty	El-Amin	Engler
Fares	Fraser	George	Goodman	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Holand	Hoskins	Hubbard
Jackson	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	King	Kingery	Kratky	Kuessner
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	May	Meadows	Meiners	Moore
Muckler	Page	Parker	Portwood	Pratt
Quinn	Ransdall	Richard	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Sutherland	Swinger	Thompson	Threlkeld
Viebrock	Villa	Vogt	Walker	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 130	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel	Madam Speaker		

NOES: 039

Angst	Baker	Bearden	Brown	Cunningham 86
Davis 19	Dethrow	Dixon	Dusenberg	Emery
Ervin	Guest	Hobbs	Hunter	Ice
Jetton	Johnson 47	Kelly 144	Lager	Luetkemeyer
Mayer	Morris	Munzlinger	Myers	Nieves
Pearce	Phillips	Purgason	Rector	Reinhart
Roark	Shoemaker	St. Onge	Stevenson	Townley
Wilson 119	Wood	Wright	Yates	

PRESENT: 003

Bean	Taylor	Wallace
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ABSENT WITH LEAVE: 008

Avery	Boykins	Donnelly	Marsh	McKenna
Miller	Wagner	Willoughby		

On motion of Representative Holand, **HCS HB 855, as amended**, was ordered perfected and printed.

HCS HB 1055, as amended, relating to sexual offenses, was taken up by Representative Bruns.

Representative Lembke offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1055, Page 1, Section 566.140, Line 1, by inserting before all of said line the following:

"556.037. **Notwithstanding** the provisions of section 556.036, [to the contrary notwithstanding,] prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within [ten] **twenty** years after the victim reaches the age of eighteen **unless the prosecutions are for forcible rape, attempted forcible rape, forcible sodomy, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.**"; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Lembke, **House Amendment No. 9** was adopted.

On motion of Representative Bruns, **HCS HB 1055, as amended**, was adopted.

On motion of Representative Bruns, **HCS HB 1055, as amended**, was ordered perfected and printed.

HCS HB 1041, as amended, with House Substitute Amendment No. 1 for House Amendment No. 10 and House Amendment No. 10, pending, relating to school personnel, was taken up by Representative Cunningham (86).

Representative Pratt offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 10.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 10

AMEND House Substitute Amendment No. 1 to House Amendment No. 10 to House Committee Substitute for House Bill No. 1041, Lines 6 and 7 of Subsection 2 of said amendment by deleting the following on said lines:

“behavior, whether it be during school hours or during extra-curricular activities.”; and

Further amend said substitute amendment, Line 6 of Subsection 2 of said amendment, by inserting at the beginning of said line the following: **“behavior.”.**

On motion of Representative Pratt, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 10** was adopted.

On motion of Representative Willoughby, **House Substitute Amendment No. 1 for House Amendment No. 10, as amended**, was adopted by the following vote:

AYES: 132

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Luetkemeyer	May	Mayer	Meadows
Meiners	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Villa	Vogt	Walsh
Walton	Ward	Whorton	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yates
Zweifel	Madam Speaker			

NOES: 020

Bivins	Bough	Campbell	Curls	Henke
Hilgemann	Lawson	Lowe	Richard	Schaaf
St. Onge	Taylor	Viebrock	Walker	Wallace
Wasson	Wildberger	Wilson 119	Yaeger	Young

PRESENT: 001

Fares

ABSENT WITH LEAVE: 010

Avery	Boykins	Donnelly	Holand	Marsh
McKenna	Miller	Portwood	Wagner	Willoughby

Representative Purgason offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for House Bill No. 1041, Page 1, Section A, Line 3, by inserting after all of said line the following:

“105.454. No elected or appointed official or employee of the state or any political subdivision thereof, serving in an executive or administrative capacity, shall:

(1) Perform any service for any agency of the state, or for any political subdivision thereof in which he or she is an officer or employee or over which he or she has supervisory power for receipt or payment of any compensation, other than of the compensation provided for the performance of his or her official duties, in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum, **or in the case of a school board five thousand dollars per annum**, except on transactions made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer is the lowest received.

(2) Sell, rent or lease any property to any agency of the state, or to any political subdivision thereof in which he or she is an officer or employee or over which he or she has supervisory power and received consideration therefor in excess of five hundred dollars per transaction or one thousand five hundred dollars per year unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received.

(3) Participate in any matter, directly or indirectly, in which he or she attempts to influence any decision of any agency of the state, or political subdivision thereof in which he or she is an officer or employee or over which he or she has supervisory power, when he or she knows the result of such decision may be the acceptance of the performance of a service or the sale, rental, or lease of any property to that agency for consideration in excess of five hundred dollars' value per transaction or one thousand five hundred dollars' value per annum to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received;

(4) Perform any services during the time of his or her office or employment for any consideration from any person, firm or corporation, other than the compensation provided for the performance of his or her official duties, by which service he or she attempts to influence a decision of any agency of the state, or of any political subdivision in which he or she is an officer or employee or over which he or she has supervisory power;

(5) Perform any service for consideration, during one year after termination of his or her office or employment, by which performance he or she attempts to influence a decision of any agency of the state, or a decision of any political subdivision in which he or she was an officer or employee or over which he or she had supervisory power, except that this provision shall not be construed to prohibit any person from performing such service and receiving compensation therefor, in any adversary proceeding or in the preparation or filing of any public document or to prohibit an employee of the executive department from being employed by any other department, division or agency of the executive branch of state government. For purposes of this subdivision, within ninety days after assuming office, the governor shall by

executive order designate those members of his or her staff who have supervisory authority over each department, division or agency of state government for purposes of application of this subdivision. The executive order shall be amended within ninety days of any change in the supervisory assignments of the governor's staff. The governor shall designate not less than three staff members pursuant to this subdivision;

(6) Perform any service for any consideration for any person, firm or corporation after termination of his or her office or employment in relation to any case, decision, proceeding or application with respect to which he or she was directly concerned or in which he or she personally participated during the period of his or her service or employment.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Purgason, **House Amendment No. 11** was adopted.

Representative Wilson (42) offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for House Bill No. 1041, Page 2, Section 168.110, Lines 1 to 18, by striking said section from the bill; and

Further amend said bill, Pages 2 to 3, Section 168.126, Lines 1 to 49, by striking said section from the bill; and

Further amend said title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Jetton assumed the Chair.

Representative Wilson (42) moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Abel	Bishop	Bland	Bough	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Dougherty	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 90	Jolly
Jones	Kelly 36	Kratky	LeVota	Liese
Lowe	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

NOES: 088

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs

Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Kuessner
Lager	Lembke	Lipke	Luetkemeyer	May
Mayer	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Donnelly	El-Amin	Johnson 61	Lawson
Marsh	McKenna	Miller	Wagner	Willoughby

On motion of Representative Cunningham (86), **HCS HB 1041, as amended**, was adopted.

On motion of Representative Cunningham (86), **HCS HB 1041, as amended**, was ordered perfected and printed.

HCS HB 1278, relating to insurance, was taken up by Representative Luetkemeyer.

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1278, Page 3, Section 374.160, Line 45, by inserting after all of said line the following:

"375.001. As used in sections 375.001 to 375.008 the following words and terms mean:

(1) **"Claim", unless otherwise defined in sections 375.001 to 375.008, any specific request or demand for payment of a loss which may be included within the terms of coverage of an insurance policy. A mere inquiry into whether a policy will cover a loss shall not constitute a claim;**

(2) "Insurer", all insurance companies, reciprocals, or interinsurance exchanges transacting the business of insurance in this state;

[(2)] (3) "Nonpayment of premium", failure of the [named] insured to discharge when due any of his obligations in connection with the payment of premiums on the policy, or any installment of the premium, whether the premium is payable directly to the insurer or its [agent] **producer** or indirectly under any premium finance plan or extension of credit;

[(3)] (4) "Nonrenewal", the determination of an insurer not to issue or deliver a policy replacing at the end of the policy period a policy previously issued and delivered by the same insurer or a certificate or notice extending the term of a policy beyond its policy period or term;

[(4)] (5) "Policy", a contract of insurance providing fire and extended coverage insurance, whether separately or in combination with other coverages, on owner-occupied habitational property not exceeding two families. "Policy" does not include any insurance contracts issued under a property insurance inspection and placement program ("FAIR" plan) or an assigned risk plan[, or any insurance contracts insuring property not used predominantly for habitational purposes, or an insurance contract insuring a mobile home];

[(5)] (6) "Renewal" or "to renew", the issuance and delivery by an insurer of a policy replacing at the end of the policy period a policy previously issued and delivered by the same insurer, or the issuance and delivery of a

certificate or notice extending the term of the policy beyond its policy period or term. Any policy with a policy period or term of less than six months shall for the purposes of sections 375.001 to 375.008 be considered as if written for a policy period or term of six months. Any policy written for a term longer than one year or any policy with no fixed expiration date, shall for the purpose of sections 375.001 to 375.008, be considered as if written for successive policy periods or terms of one year, and the policy may be terminated at the expiration of any annual period upon giving [thirty] **sixty** days' notice of cancellation prior to the anniversary date, and the cancellation shall not be subject to any other provisions of sections 375.001 to 375.008;

(7) "Weather-related claim", loss resulting from an act of God which an insured is unable to control and is unable to reasonably reduce the risk that such peril will damage the insured property."; and

Further amend said bill, Page 80, Section 384.065, Line 15, by inserting after all of said line the following:

"Section 1. 1. No insurer shall use weather-related claims as a basis for the insurer's decision to refuse to renew a policy.

2. No insurer shall consider as a claim any inquiry by the insured into whether a policy will cover a loss or as to the type or level of coverage. No insurer shall use such inquiries as a basis for nonrenewing the policy."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 1** was adopted by the following vote:

AYES: 121

Abel	Angst	Baker	Barnitz	Bishop
Black	Bland	Bough	Boykins	Bringer
Brooks	Brown	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Deeken	Dempsey	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Ice	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kuessner	LeVota	Liese	Lipke
Lowe	Mayer	Meadows	Meiners	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Portwood	Pratt
Purgason	Quinn	Reinhart	Richard	Ruestman
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Sutherland	Swinger	Taylor	Threlkeld	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 027

Bean	Bearden	Behnen	Bivins	Bruns
Crawford	Crowell	Davis 19	Dethrow	Dixon
Guest	Hunter	Jetton	Kelly 144	Lager

Lembke	Luetkemeyer	May	Phillips	Rector
Roark	Rupp	Shoemaker	St. Onge	Stevenson
Townley	Wilson 119			

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Donnelly	El-Amin	Hampton	Johnson 61
Kratky	Lawson	Marsh	McKenna	Miller
Ransdall	Seigfreid	Thompson	Wagner	Willoughby

Representative Ervin offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1278, Page 1, Section 374.160, Line 1, by inserting before all of said line the following:

“374.150. 1. All fees due the state under the provisions of the insurance laws of this state shall be paid to the director of revenue and deposited in the state treasury to the credit of the insurance department fund unless otherwise provided for in subsection 2 of this section.

2. There is hereby established in the state treasury a special fund to be known as the "Department of Insurance Dedicated Fund". The fund shall be subject to appropriation of the general assembly and shall be devoted solely to the payment of expenditures incurred by the department of insurance attributable to duties performed by the department as required by law which are not paid for by another source of funds. Other provisions of law to the contrary notwithstanding, beginning on January 1, 1991, all fees charged under any provision of chapter 325, 354, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 or 385, RSMo, due the state shall be paid into this fund. The state treasurer shall invest moneys in this fund in the same manner as other state funds and any interest or earnings on such moneys shall be credited to the department of insurance dedicated fund. The provisions of section 33.080, RSMo, notwithstanding, moneys in the fund shall not lapse, be transferred to or placed to the credit of the general revenue fund unless and then only to the extent to which the unencumbered balance at the close of the biennium year exceeds [two times] **twenty-five percent of** the total amount appropriated, paid, or transferred to the fund during such fiscal year.

[3. Notwithstanding the provisions of this section to the contrary, fifty-five percent of the balance in the department of insurance dedicated fund as of the effective date of this act or six million fifteen thousand eight hundred and fifty-five dollars, whichever is greater, shall be subject to an immediate one-time transfer to the state general revenue fund.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 1278, as amended, with House Amendment No. 2 pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1305 - Budget (Fiscal Note)
HB 1613 - Special Committee on General Laws
HB 1635 - Local Government

COMMITTEE REPORTS

Committee on Communications, Energy and Technology, Chairman Rector reporting:

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **HB 822**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCS SCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1427**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 798**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1364**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1246**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1422**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1622**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Small Business, Chairman St. Onge reporting:

Madam Speaker: Your Committee on Small Business, to which was referred **HB 1572**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 37**.

SENATE CONCURRENT RESOLUTION NO. 37

WHEREAS, the best way to improve Missouri's schools is to:

- (1) Reinforce local control of schools;
- (2) Demand greater accountability by state and local administrators which will reduce waste and ensure more money goes to classrooms and less to bureaucrats;
- (3) Reduce state and federal regulations that cause the misallocation of resources to fund the wrong priorities and eliminate unnecessary and burdensome regulations that stifle teachers and school districts from improving education;
- (4) Support our teachers by looking for new, innovated and practical ideas that the General Assembly can address to assist teachers in the classroom:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Teacher Support, Regulatory Reduction and Accountability"; and

BE IT FURTHER RESOLVED that the Committee shall be composed of ten members, with five members of the Senate to be appointed by the President Pro Tem of the Senate, and five members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and no more than six members of such committee shall be from the same political party; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the rules and policies concerning the administrative burdens for teachers; identify opportunities that will allow for greater flexibility, innovation, and freedom to improve teaching opportunities and the quality of a classroom education; identify tax credits, resources, support services and funding for those support services and review classroom technology, including replacement and upgrade of computer hardware and software; review classroom liability and discipline issues facing teachers and look at ways to improve alternative schools; and solicit extensive testimony and opinions from teachers on what additional tools, support systems, legislation, training and funding they need to improve Missouri's educational system; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2005.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 968**, entitled:

An act to repeal sections 168.104, 168.124, 168.126, 168.303, and 169.712, RSMo, and to enact in lieu thereof five new sections relating to teachers.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1048**, entitled:

An act to repeal sections 137.101 and 301.025, RSMo, and to enact in lieu thereof two new sections relating to the motor vehicle registration process for certain organizations.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1160**, entitled:

An act to amend chapter 196, RSMo, by adding thereto six new sections relating to the prescription drug repository program, with penalty provisions for a certain section.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1162**, entitled:

An act to repeal section 64.825, RSMo, and to enact in lieu thereof one new section relating to regulation of subdivisions in unincorporated areas.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1218**, entitled:

An act to repeal section 335.016, RSMo, and to enact in lieu thereof one new section relating to advanced practice nurses.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1229**, entitled:

An act to repeal section 221.111, RSMo, and to enact in lieu thereof one new section relating to delivery or concealment of certain substances in correctional facilities, with penalty provisions.

In which the concurrence of the House is respectfully requested.

COMMUNICATIONS

March 10, 2004

Mr. Stephen S. Davis
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Davis:

Pursuant to Sections 105.452 to 105.461, RSMo, I hereby give notice that my husband, James “Jim” Wilson, is serving on the Kansas City Board of Police Commissioners.

I request that you publish this notice in the House Journal. Thank you very much.

Sincerely,

/s/ Yvonne S. Wilson
State Representative, District 42

March 10, 2004

Stephen Davis, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Pursuant to Chapters 105.452 to 105.461, RSMo., this letter is an official report that I have invested in agriculture value-added cooperative in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits or loan guarantees. I would not have more than a ten percent interest in the proposed value-added venture.

In order for me to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Brian Munzlinger
District 1

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, March 11, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Russ Carnahan, District 59, hereby state and affirm that my vote as recorded on Pages 556 and 557 of the House Journal for Tuesday, March 9, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of March 2004.

/s/ Russ Carnahan
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of March in the year 2004.

/s/ Patricia W. Parris
Notary Public

Attest: /s/ Joan Branson
Clerk

I, State Representative Trent Skaggs, District 31, hereby state and affirm that my vote as recorded on Pages 556 and 557 of the House Journal for Tuesday, March 9, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of March 2004.

/s/ Trent Skaggs
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of March in the year 2004.

/s/ Patricia W. Parris
Notary Public

Attest: /s/ Stephen S. Davis
Clerk

I, State Representative John Quinn, District 7, hereby state and affirm that my vote as recorded on Pages 561 and 562 of the House Journal for Tuesday, March 9, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I

was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of March 2004.

/s/ John Quinn
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of March in the year 2004.

/s/ Patricia W. Parris
Notary Public

Attest: /s/ Joan Branson
Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 11, 2004, 8:15 a.m. Hearing Room 3.

Departments of Health, Mental Health, and Social Services. Possible mark up.
Executive session may follow. CANCELLED

BUDGET

Thursday, March 11, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004,
HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, March 11, 2004, Hearing Room 3 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HJR 49, HB 1001, HB 1002, HB 1003, HB 1004,
HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Thursday, March 11, 2004, House Chamber side gallery upon morning adjournment.

Executive session for other bills may follow. AMENDED

Public hearing to be held on: HB 1575

Executive session will be held on: HB 1493

CONSERVATION AND NATURAL RESOURCES

Thursday, March 11, 2004, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 808, HB 1326, HB 1279

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, March 11, 2004, 8:30 a.m. Hearing Room 4.

Executive session may follow AMENDED

Public hearings to be held on: HB 1258, HB 1298

JOB CREATION AND ECONOMIC DEVELOPMENT

Monday, March 15, 2004, 2:30 p.m. House Chamber side gallery.

Executive session will be held on: HB 1529

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, March 11, 2004, 1:00 p.m. Hearing Room 1.

Report from Revision Subcommittee.

Oversight program evaluation on Office of Administration, Division of Facilities Management, State Leasing Practices and any other business.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

JUDICIARY

Thursday, March 11, 2004, House Chamber side gallery upon morning adjournment.

Executive session. Potential reconsideration of votes taken on 3-9-04.

LOCAL GOVERNMENT

Thursday, March 11, 2004, 8:15 a.m. Hearing Room 6.

Executive session will follow. AMENDED

Public hearings to be held on: HB 1292, HB 1608, HB 1634, HB 1612, HB 1321, HB 1635

LOCAL GOVERNMENT

Thursday, March 18, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1199, HB 1292, HB 1446, SS SB 732, SCS SB 1062

RETIREMENT

Thursday, March 11, 2004, 8:30 a.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1316, HB 1356, HB 1357, HB 1480, HB 1502

RULES

Thursday, March 11, 2004, 8:30 a.m. House Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HR 95, HR 264, HR 372, HR 392, HR 397, HR 464, HR 485, HR 624, HR 650, HR 720, HR 745, HR 796

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, March 11, 2004, House Chamber side gallery upon morning adjournment.

Public hearing to be held on: HB 1613

Executive session will be held on: HB 1631, SCS SB 859

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, March 11, 2004, Hearing Room 5 upon morning adjournment.

Executive session to follow.

Public hearing to be held on: HB 1255

TAX POLICY

Thursday, March 11, 2004, House Chamber side gallery upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 1324

TRANSPORTATION AND MOTOR VEHICLES

Thursday, March 11, 2004, 8:00 a.m. House Chamber side gallery. AMENDED

Executive session will be held on: HB 1366, HB 1049, HB 1408, HB 1437, HB 1284, HB 1374, HB 1489, HB 1449, HB 928, HB 1442, HB 1438, HB 1610, HB 1508, HB 1504, HB 1396, HB 1063, HB 1123, HB 1335, HB 1201, HB 1280

HOUSE CALENDAR

THIRTY-SEVENTH DAY, THURSDAY, MARCH 11, 2004

HOUSE BILLS FOR SECOND READING

HB 1651 through HB 1668

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 978 - Baker (123)
- 3 HCS HB 1380 - Lager (4)
- 4 HCS HB 1278, as amended, HA 2, pending - Luetkemeyer (115)
- 5 HCS HB 1150 - May (149)
- 6 HB 1092 - Deeken (114)
- 7 HCS HB 1207 - Icet (84)
- 8 HCS HB 1566 - Stefanick (93)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/04/04)

- 1 HCS HB 1363 - Fares (91)
- 2 HCS HB 1439 - Crawford (117)
- 3 HB 826 - Kelly (144)
- 4 HB 1291 - Pearce (121)
- 5 HB 956 - May (149)
- 6 HB 1398 - Lager (4)
- 7 HCS HB 1399 - Lager (4)
- 8 HB 1259 - Threlkeld (109)
- 9 HB 1317 - Kingery (154)
- 10 HB 937 - Moore (20)
- 11 HB 904 - Luetkemeyer (115)
- 12 HB 824 - Seigfreid (26)
- 13 HCS HB 883 - Graham (24)
- 14 HB 884 - Ward (107)
- 15 HCS HB 912 - Page (82)
- 16 HB 1029, HCA 1 - Henke (11)
- 17 HB 1114 - Skaggs (31)
- 18 HB 1142, HCA 1 - Daus (67)
- 19 HCS HB 1171 - Rector (124)
- 20 HCS HB 1192 - Schlottach (111)
- 21 HB 1223 - Ward (107)
- 22 HCS HB 1471 - Brooks (37)

(3/10/04)

- 1 HCS HB 985 - Wood (62)
- 2 HB 996 - Dusenberger (54)
- 3 HCS HB 1136 - Rupp (13)
- 4 HB 1187 - Ervin (35)
- 5 HB 1188 - Lipke (157)
- 6 HCS HB 1288 - Dougherty (53)
- 7 HCS HB 1179 - Corcoran (77)
- 8 HCS HB 1347 - Jetton (156)
- 9 HCS HB 1456 - Black (161)

(3/11/04)

- 1 HCS HB 798 - Shoemaker (8)
- 2 HB 822 - Luetkemeyer (115)
- 3 HCS HB 1246 - Portwood (92)
- 4 HCS HB 1422 - Stefanick (93)

- 5 HB 1427 - Portwood (92)
- 6 HB 1364 - Bishop (38)
- 7 HB 1572 - St. Onge (88)
- 8 HB 1622 - Wasson (141)

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1014 - Bearden (16)

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1304 - Byrd (94)
- 2 HCS HB 1305, (Budget 3/10/04) - Byrd (94)
- 3 HS HCS HB 852 - Holand (135)
- 4 HCS HB 1215, E.C. - Engler (106)
- 5 HB 1183 - Mayer (159)
- 6 HS HCS HB 1290 - Portwood (92)
- 7 HCS HB 959 - Luetkemeyer (115)
- 8 HCS HB 1115 - Dempsey (18)
- 9 HCS HB 898 - Johnson (47)
- 10 HCS HB 855 - Holand (135)
- 11 HCS HB 1055 - Bruns (113)
- 12 HCS HB 1041 - Cunningham (86)

SENATE CONCURRENT RESOLUTION

SCS SCR 41 - (3/9/04, Pages 568 - 569) Quinn (7)

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 968
- 2 SB 1048
- 3 SCS SB 1160
- 4 SB 1162
- 5 SCS SB 1218
- 6 SB 1229

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, THURSDAY, MARCH 11, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

On this morning of bright sunlight, let us pray from the prayer of St. Francis of Assisi:

The Canticle of Brother Sun

Most high, all-powerful, all good, Lord!
All praise is Yours, all glory, all honor
And all blessing.
To You alone, Most High, do they belong.
No mortal lips are worthy
To pronounce Your name.

All praise be Yours, my Lord, through all that You have made,
And first, my Lord, Brother Sun,
Who brings the day; and light You give to us through Him.
How beautiful is He, how radiant in all His splendor!
Of You, Most High, He bears the likeness.

From You, Most Holy Lord, we ask the gift of light to see Your truth throughout our work today.

With Psalm 148 we pray, "Praise the Lord, sun and moon!" Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Victoria Marie Roeder, Drew Granger, Austin Hansford and Demi Granger.

The Journal of the thirty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 999

and

House Resolution No. 1000 - Representative Taylor

House Resolution No. 1001 - Representative Wilson (119)

House Resolution No. 1002 - Representative Bishop
 House Resolution No. 1003
 through
 House Resolution No. 1007 - Representative Phillips
 House Resolution No. 1008 - Representative Smith (14)
 House Resolution No. 1009 - Representative Lipke
 House Resolution No. 1010 - Representative Cunningham (145)
 House Resolution No. 1011 - Representative Crowell
 House Resolution No. 1012
 and
 House Resolution No. 1013 - Representative Byrd
 House Resolution No. 1014 - Representative Wallace
 House Resolution No. 1015 - Representative Bringer
 House Resolution No. 1016
 through
 House Resolution No. 1024 - Representative Ervin
 House Resolution No. 1025 - Representative Walker
 House Resolution No. 1026 - Representative Rupp
 House Resolution No. 1027 - Representative Walton

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1669, introduced by Representatives Sutherland, Stefanick, Cooper (120), Myers, Luetkemeyer, Wildberger, Bivins, Moore, Page and Hanaway, relating to the tax deduction for long-term care insurance.

HB 1670, introduced by Representatives Portwood, Lembke, Smith (14), Witte, Hunter, Meadows, Quinn, Dusenberger, Luetkemeyer, Nieves, Kingery and Reinhart, relating to lifetime hunting and fishing licenses for certain military personnel.

HB 1671, introduced by Representatives Hanaway, Crowell, Bearden, Reinhart, Yates, Dusenberger, Lager, Townley, Munzlinger, Campbell, Lowe, Jackson, Nieves, Baker, Brown, Jetton, Goodman, Page, Riback Wilson (25), Wilson (42), Lembke, Graham, Smith (14), Behnen, Icet, Cooper (155), Ervin, Dempsey, Byrd, Luetkemeyer, Stefanick, Phillips, Johnson (47), Pearce, Smith (118), Threlkeld, Morris, Mayer, Hobbs, Lipke, Black, Pratt, Portwood, Schaaf, Wallace, Hunter, Richard, Dixon, Schlottach, Rector, Stevenson, Kratky, Parker, Dethrow, Bivins, Holand, Cooper (120), Angst, Guest, Wilson (130), LeVota and Lawson, relating to life sciences research.

SECOND READING OF HOUSE BILLS

HB 1651 through **HB 1668** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 968, SB 1048, SCS SB 1160, SB 1162, SCS SB 1218 and SB 1229 were read the second time.

THIRD READING OF HOUSE BILL

HCS HB 898, relating to a prescription drug repository program, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HCS HB 898** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Lawson	McKenna	Wagner	Yates
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Speaker Hanaway declared the bill passed.

Representative Wasson assumed the Chair.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 1014, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HCS HB 1014** was read the third time and passed by the following vote:

AYES: 099

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brooks	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Selby	Self
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Madam Speaker	

NOES: 057

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Burnett	Campbell	Carnahan	Corcoran
Darrough	Davis 122	Donnelly	El-Amin	Fraser
George	Graham	Green	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Kuessner	LeVota
Liese	Lowe	Meadows	Muckler	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Shoemyer
Spreng	Swinger	Thompson	Vogt	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 006

Avery	Lawson	McKenna	Shoemaker	Wagner
Yates				

Representative Wasson declared the bill passed.

SENATE CONCURRENT RESOLUTION

SCS SCR 41, relating to the Missouri River Reservoir System, was taken up by Representative Quinn.

On motion of Representative Quinn, **SCS SCR 41** was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Corcoran	Holand	Lawson	McKenna
Ruestman	Stevenson	Wagner	Ward	Yates
Young				

THIRD READING OF HOUSE BILL**HS HCS HB 1304**, relating to tort reform, was taken up by Representative Byrd.

On motion of Representative Byrd, **HS HCS HB 1304** was read the third time and passed by the following vote:

AYES: 094

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bringer	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Harris 110
Hobbs	Holand	Hubbard	Hunter	Iceet
Jackson	Jetton	Johnson 47	Kelly 144	Kelly 36
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Seigfreid	Selby	Self
Shoemaker	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Madam Speaker	

NOES: 059

Abel	Barnitz	Bishop	Bland	Brooks
Burnett	Carnahan	Corcoran	Curls	Darrough
Daus	Davis 122	Donnelly	Dougherty	El-Amin
Fraser	George	Graham	Green	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Johnson 61
Johnson 90	Jolly	Jones	Kratky	Kuessner
LeVota	Liese	Lowe	Meadows	Muckler
Parker	Ransdall	Sager	Salva	Schneider
Schoemehl	Shoemyer	Spreng	Swinger	Villa
Vogt	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 001

Thompson

ABSENT WITH LEAVE: 009

Avery
Lawson

Bough
McKenna

Boykins
Wagner

Campbell
Yates

Hampton

Representative Wasson declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 855 - Budget (Fiscal Note)
HCS HB 1041 - Budget (Fiscal Note)
HCS HB 1055 - Budget (Fiscal Note)
HB 1469 - Financial Services
HB 1538 - Judiciary
HB 1539 - Elections
HB 1542 - Crime Prevention and Public Safety
HB 1543 - Crime Prevention and Public Safety
HB 1544 - Crime Prevention and Public Safety
HB 1548 - Budget
HB 1550 - Workforce Development and Workplace Safety
HB 1573 - Professional Registration and Licensing
HB 1576 - Crime Prevention and Public Safety
HB 1589 - Special Committee on Bonding Authority
HB 1590 - Crime Prevention and Public Safety
HB 1591 - Professional Registration and Licensing
HB 1592 - Transportation and Motor Vehicles
HB 1602 - Conservation and Natural Resources
HB 1603 - Job Creation and Economic Development
HB 1606 - Local Government
HB 1609 - Conservation and Natural Resources
HB 1611 - Transportation and Motor Vehicles
HB 1619 - Professional Registration and Licensing
HB 1620 - Children and Families
HB 1623 - Special Committee on General Laws
HB 1627 - Agriculture
HB 1633 - Crime Prevention and Public Safety
HB 1636 - Transportation and Motor Vehicles
HB 1655 - Job Creation and Economic Development
HB 1656 - Special Committee on General Laws
HB 1658 - Education
HB 1659 - Job Creation and Economic Development
HB 1660 - Transportation and Motor Vehicles

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1327 - Small Business

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 700 - Local Government

SS SCS SBs 740, 886 & 1178 - Agriculture

SCS SB 754 - Tourism and Cultural Affairs

SCS SB 1045 - Special Committee on Urban Issues

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 10

WHEREAS, the Menfro soil series was established in Missouri in Perry County and is named for the town of Menfro where it was first described and mapped. Menfro soils are very deep, well-drained soils formed in layers of silt loam and silty clay loam; and

WHEREAS, over a million acres of Missouri soil in more than forty counties have been identified as Menfro soil. The Menfro soil series consists of soils formed on wooded upland slopes along the Missouri and Mississippi Rivers and their major tributaries; and

WHEREAS, the current State Capitol, Governor's Mansion, the original State Capitol in St. Charles, the Daniel Boone burial site, and much of the upland areas of Kansas City, St. Louis, Jefferson City, Hermann, Hannibal, and Cape Girardeau are located on Menfro soil; and

WHEREAS, the major land uses of Menfro soils are agriculture and woodland productivity. The main agricultural enterprises grown on Menfro soil are feed grains and forages for livestock, grape vineyards, orchards, and other fruit and vegetable crops; and

WHEREAS, in appreciation for this resource and its value in our economy and environment, the state of Missouri should publicly recognize the importance of soils to our state and encourage educators and other science professionals to teach about soil as a natural resource; and

WHEREAS, the existence of man is dependent on six inches of topsoil and the rain or irrigation water that is applied to such soil:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate concurring therein, hereby designate "Menfro soil" as representing the many fertile soils of the State of Missouri.

Madam Speaker: Your Committee on Agriculture, to which was referred **HB 1604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Agriculture, to which was referred **SB 739**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Communications, Energy and Technology, Chairman Rector reporting:

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **HB 1493**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **HB 1575**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1277**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Elections, Chairman May reporting:

Madam Speaker: Your Committee on Elections, to which was referred **HB 988**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Elections, to which was referred **HB 1098** and **HB 949**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **HB 1614**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Homeland Security and Veterans Affairs, Chairman Jackson reporting:

Madam Speaker: Your Committee on Homeland Security and Veterans Affairs, to which was referred **HB 1152**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1616**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 795**, **HB 972**, **HB 1128** and **HB 1161**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 843**, **HB 880** and **HB 1042**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1321**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1362**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND House Bill No. 1362, Section 64.825, Page 1, Line 11, by striking “**or other form of security**” and inserting in lieu thereof the following:

“**bond, cash bond, cash deposit with the county treasurer, letter of credit, or certificate of deposit**”; and

Further amend said section and page, Lines 14-15, by striking “**or other form of security**” and inserting in lieu thereof the following:

“**surety bond, cash bond, cash deposit with the county treasurer, letter of credit, or certificate of deposit**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1377**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1524**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1634**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1635**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 869**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 970**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1424**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Senior Security, Chairman Portwood reporting:

Madam Speaker: Your Committee on Senior Security, to which was referred **SS SCS SB 730**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 1193**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 1613**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Special Committee on Urban Issues, Chairman Bland reporting:

Madam Speaker: Your Special Committee on Urban Issues, to which was referred **HB 1074** and **HB 1129**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 774**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 1099**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tourism and Cultural Affairs, Chairman Marsh reporting:

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 12

Relating to the designation of Miss Missouri as an official hostess of the State of Missouri.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the Miss America Organization provides an opportunity for young women in Missouri to compete for the honor of representing the State of Missouri in national competition; and

WHEREAS, the winner of this state's Miss America preliminary, crowned as Miss Missouri, is judged worthy to act as a role model for young women across the State of Missouri; and

WHEREAS, the winner of this state's Miss America preliminary, crowned as Miss Missouri, capably represents the State of Missouri in national competition and devotes countless hours in public appearances throughout the State during her year of service as Miss Missouri:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate concurring therein, hereby designates Miss Missouri who is our state's representative in the Miss America National Competition as an official hostess for the State of Missouri during her year of service as Miss Missouri:

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 928**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1123**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1201**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1280**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1284**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1438**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1442**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1449**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1489**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1508**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1610**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1027 & 896**, entitled:

An act to repeal sections 374.700, 374.705, 374.710, 374.715, 374.725, 374.730, 374.735, 374.740, 374.755, 374.757, 374.763, 374.765, 544.640, and 544.650, RSMo, and to enact in lieu thereof twenty-six new sections relating to the licensing of surety recovery agents, with penalty provisions.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Graham is no longer a member of the Budget Committee.

Representative Hoskins has been appointed a member of the Budget Committee.

WITHDRAWAL OF HOUSE BILL

March 11, 2004

Speaker Catherine Hanaway
State Capitol Building
Jefferson City, MO 65101

Dear Madam Speaker:

I am requesting that **House Bill No. 1423** be withdrawn. The parties involved in this issue have reached an agreement which makes passage of the bill unnecessary. Should you have any questions or need additional information, please let me know.

Sincerely,

/s/ Jodi Stefanick
State Representative
District 93

The following member's presence was noted: Lawson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, March 15, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-sixth Day, Wednesday, March 10, 2004, Pages 593 and 594, roll call, by showing Representative Jetton voting "aye" rather than "no".

AFFIDAVIT

I, State Representative Tom Dempsey, District 18, hereby state and affirm that my vote as recorded on Pages 581 and 582 of the House Journal for Wednesday, March 10, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of March 2004.

/s/ Tom Dempsey
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Trent Skaggs, District 31, hereby state and affirm that my vote as recorded on Pages 582 and 583 of the House Journal for Wednesday, March 10, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of March 2004.

/s/ Trent Skaggs
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1507, HB 1546, HB 1432

BUDGET

Monday, March 15, 2004, 8:00 p.m. Hearing Room 3.

Fiscal review and possible Executive session.

Public hearings to be held on: HB 1055, HB 1305, HB 1041, HB 855, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CHILDREN AND FAMILIES

Tuesday, March 16, 2004, Hearing Room 1 upon evening adjournment.

Hearing will be held upon evening adjournment or 5:00 p.m., whichever is earlier.

Executive session will be held.

Public hearings to be held on: HB 1579, HB 1293

Executive session will be held on: HB 846, HB 1349, HB 1579

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, March 16, 2004, Hearing Room 7 upon morning adjournment.

Executive session will follow. AMENDED

Public hearings to be held on: HB 1459, HB 1378, HCR 22

CORRECTIONS AND STATE INSTITUTIONS

Monday, March 15, 2004, House Chamber side gallery upon evening adjournment.

Executive session will be held on: HB 1444, SCR 35

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 16, 2004, Hearing Room 3 upon evening adjournment.

Public hearings to be held on: HB 1329, HB 764, HB 1465, SS SB 1000

Executive session will be held on: HB 1403, HB 1274, HB 979

FINANCIAL SERVICES

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1160, HB 1509

JOB CREATION AND ECONOMIC DEVELOPMENT

Monday, March 15, 2004, 2:30 p.m. House Chamber side gallery. AMENDED

Public hearing to be held on: HB 1603

Executive session will be held on: HB 1529

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General,
MoDOT cleanup legislation, One Stop Shop.

LOCAL GOVERNMENT

Thursday, March 18, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1199, HB 1292, HB 1446, SS SB 732, SCS SB 1062

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1334, HB 1214, HB 1522

Executive session may be held on: HB 837, HB 1464

TAX POLICY

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1420, HB 1467, HJR 54

TOURISM AND CULTURAL AFFAIRS

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1547, HB 1553, HB 1556, HCR 15, SB 783

TRANSPORTATION AND MOTOR VEHICLES

Monday, March 15, 2004, 2:00 p.m. Hearing Room 7.

Reconsideration of HB 1405 and HB 977.

Public hearing to be held on: HB 1660

HOUSE CALENDAR

THIRTY-EIGHTH DAY, MONDAY, MARCH 15, 2004

HOUSE BILLS FOR SECOND READING

HB 1669 through HB 1671

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 978 - Baker (123)
- 3 HCS HB 1380 - Lager (4)
- 4 HCS HB 1278, as amended, HA 2, pending - Luetkemeyer (115)
- 5 HCS HB 1150 - May (149)
- 6 HB 1092 - Deeken (114)
- 7 HCS HB 1207 - Icet (84)
- 8 HCS HB 1566 - Stefanick (93)
- 9 HCS HB 774 - Sander (22)
- 10 HCS HB 795, 972, 1128 & 1161 - Johnson (47)
- 11 HCS HB 843, 880 & 1042 - Angst (146)
- 12 HB 869 - Townley (112)
- 13 HCS HB 988 - Yates (56)
- 14 HCS HB 1074 & 1129 - Byrd (94)
- 15 HCS HB 1098 & 949 - Goodman (132)
- 16 HCS HB 1099 - Reinhart (34)
- 17 HCS HB 1152 - Wilson (130)
- 18 HB 1193 - Self (116)
- 19 HCS HB 1277 - Townley (112)
- 20 HB 1424 - Stefanick (93)
- 21 HB 1504 - Lipke (157)
- 22 HB 1616 - Hanaway (87)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/04)

- 1 HCS HB 985 - Wood (62)
- 2 HB 996 - Dusenberger (54)
- 3 HCS HB 1136 - Rupp (13)
- 4 HB 1187 - Ervin (35)
- 5 HB 1188 - Lipke (157)
- 6 HCS HB 1288 - Threlkeld (109)
- 7 HCS HB 1179 - Corcoran (77)
- 8 HCS HB 1347 - Jetton (156)
- 9 HCS HB 1456 - Black (161)

(3/11/04)

- 1 HCS HB 798 - Shoemaker (8)
- 2 HB 822 - Luetkemeyer (115)
- 3 HCS HB 1246 - Portwood (92)
- 4 HCS HB 1422 - Stefanick (93)

- 5 HB 1427 - Portwood (92)
- 6 HB 1364 - Bishop (38)
- 7 HB 1572 - St. Onge (88)
- 8 HB 1622 - Wasson (141)

(3/15/04)

- 1 HCS HB 928 - Bivins (97)
- 2 HB 970 - Portwood (92)
- 3 HCS HB 1123 - Smith (14)
- 4 HCS HB 1201 - Dusenbergs (54)
- 5 HCS HB 1280 - Kingery (154)
- 6 HCS HB 1284 - Engler (106)
- 7 HB 1438 - Ward (107)
- 8 HB 1442 - Lipke (157)
- 9 HCS HB 1449 - Bruns (113)
- 10 HB 1489 - Barnitz (150)
- 11 HB 1508 - Baker (123)
- 12 HB 1575 - Mayer (159)
- 13 HB 1493 - Emery (126)
- 14 HB 1407 - Mayer (159)
- 15 HB 1362, HCA 1 - Hobbs (21)
- 16 HB 1377 - Sutherland (99)
- 17 HCS HB 1321 - Schaaf (28)
- 18 HB 1608 - Dougherty (53)
- 19 HB 1635 - Salva (51)
- 20 HB 1612 - Bringer (6)
- 21 HB 1634 - Behnen (2)
- 22 HCS HB 1524 - Ransdall (148)
- 23 HCS HB 1614 - Holand (135)
- 24 HB 1604 - Bean, Jr. (163)
- 25 HB 1610 - Ward (107)
- 26 HB 1613 - Morris (138)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 12 - Kelly (36)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1305, (Budget 3-10-04) - Byrd (94)
- 2 HS HCS HB 852 - Holand (135)
- 3 HCS HB 1215, E.C. - Engler (106)
- 4 HB 1183 - Mayer (159)
- 5 HS HCS HB 1290 - Portwood (92)

- 6 HCS HB 959 - Luetkemeyer (115)
- 7 HCS HB 1115 - Dempsey (18)
- 8 HCS HB 855, (Budget 3-11-04) - Holand (135)
- 9 HCS HB 1055, (Budget 3-11-04) - Bruns (113)
- 10 HCS HB 1041, (Budget 3-11-04), E.C. - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1363 - Fares (91)
- 2 HCS HB 1439 - Crawford (117)
- 3 HB 826 - Kelly (144)
- 4 HB 1291 - Pearce (121)
- 5 HB 956 - May (149)
- 6 HB 1398 - Lager (4)
- 7 HCS HB 1399 - Lager (4)
- 8 HB 1259 - Threlkeld (109)
- 9 HB 1317 - Kingery (154)
- 10 HB 937 - Moore (20)
- 11 HB 904 - Luetkemeyer (115)
- 12 HB 824 - Seigfreid (26)
- 13 HCS HB 883 - Graham (24)
- 14 HB 884 - Ward (107)
- 15 HCS HB 912 - Page (82)
- 16 HB 1029, HCA 1 - Henke (11)
- 17 HB 1114 - Skaggs (31)
- 18 HB 1142, HCA 1 - Daus (67)
- 19 HCS HB 1171 - Rector (124)
- 20 HCS HB 1192 - Schlottach (111)
- 21 HB 1223 - Ward (107)
- 22 HCS HB 1471 - Brooks (37)

SENATE BILL FOR SECOND READING

SCS SBs 1027 & 896

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 730 - Lembke (85)
- 2 HCS SB 739 - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

HOUSE CONCURRENT RESOLUTION

HCR 10 - Myers (160)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, MONDAY, MARCH 15, 2004

The House met pursuant to adjournment.

Representative Cooper (155) in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your Word declares, "If you are discouraged in the time of adversity, your strength is limited." May You encourage our hearts in adversity and may our hearts be strengthened by Your unlimited love.

May Your favor rest upon us as we continue through this day; confirm and establish the work of our hands for us - yes, confirm and establish the work of our hands.

May Your mercy, peace and love be ours in abundance.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Allison Paige Boehler.

The Journal of the thirty-seventh day was approved as corrected.

HOUSE RESOLUTION

Representative Seigfreid offered House Resolution No. 1033.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1028 - Representative Luetkemeyer

House Resolution No. 1029 - Representative Moore

House Resolution No. 1030 - Representative Lager

House Resolution No. 1031

and

House Resolution No. 1032 - Representative Roark

House Resolution No. 1034 - Representative Deeken

House Resolution No. 1035
and
House Resolution No. 1036 - Representative Wasson
House Resolution No. 1037 - Representative Hunter, et al
House Resolution No. 1038 -
through
House Resolution No. 1040 - Representative Harris (110)
House Resolution No. 1041 - Representative Shoemyer
House Resolution No. 1042
and
House Resolution No. 1043 - Representative Yates
House Resolution No. 1044 - Representatives Harris (110) and Abel
House Resolution No. 1045 - Representative Reinhart
House Resolution No. 1046 - Representative Moore
House Resolution No. 1047
and
House Resolution No. 1048 - Representative Lipke
House Resolution No. 1049 - Representative Walsh
House Resolution No. 1050 - Representative Kuessner
House Resolution No. 1051 - Representative Dixon
House Resolution No. 1052
through
House Resolution No. 1079 - Representative Jackson
House Resolution No. 1080 - Representative McKenna
House Resolution No. 1081
and
House Resolution No. 1082 - Representative Goodman

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1672, introduced by Representative Stevenson, relating to college and university-owned bookstores.

HB 1673, introduced by Representative Stevenson, relating to water providers.

HB 1674, introduced by Representatives Smith (14), Carnahan and Curls, relating to tuition rates for undergraduate students at institutions of higher education.

SECOND READING OF HOUSE BILLS

HB 1669 through **HB 1671** were read the second time.

SECOND READING OF SENATE BILL

SCS SBs 1027 & 896 was read the second time.

THIRD READING OF HOUSE BILLS

HCS HB 1215, relating to escape from commitment, was taken up by Representative Engler.

On motion of Representative Engler, **HCS HB 1215** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Barnitz	Carnahan	Purgason	Wagner
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Representative Cooper (155) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 156

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 001

Campbell

ABSENT WITH LEAVE: 006

Avery	Barnitz	Carnahan	Kratky	Purgason
Wagner				

HS HCS HB 852, relating to immunizations, was taken up by Representative Holand.

On motion of Representative Holand, **HS HCS HB 852** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 004

Brooks	Daus	Harris 23	Wilson 42
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Barnitz	Boykins	Carnahan	Curls
Richard	Wagner			

Representative Cooper (155) declared the bill passed.

HB 1183, relating to the county law enforcement restitution fund, was taken up by Representative Mayer.

On motion of Representative Mayer, **HB 1183** was read the third time and passed by the following vote:

AYES: 149

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 006

Campbell	Fraser	Lowe	Spreng	Thompson
Wilson 25				

PRESENT: 002

Brooks	Wilson 42
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ABSENT WITH LEAVE: 006

Avery	Barnitz	Boykins	Carnahan	Davis 19
Wagner				

Representative Cooper (155) declared the bill passed.

HS HCS HB 1290, relating to income tax refund designations, was taken up by Representative Portwood.

On motion of Representative Portwood, **HS HCS HB 1290** was read the third time and passed by the following vote:

AYES: 151

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Byrd
Campbell	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 007

Brooks	Burnett	Henke	Sager	Walker
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Barnitz	Boykins	Carnahan	Wagner
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Representative Cooper (155) declared the bill passed.

HCS HB 959, relating to financial services, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HCS HB 959** was read the third time and passed by the following vote:

AYES: 117

Angst	Baker	Bean	Bearden	Behnen
Bishop	Black	Bough	Bringer	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Fares
George	Goodman	Graham	Guest	Hampton
Harris 110	Harris 23	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Kelly 144	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Wallace
Walton	Wasson	Willoughby	Wilson 119	Wilson 130
Witte	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 034

Bland	Brooks	Burnett	Campbell	Corcoran
Cunningham 86	Donnelly	El-Amin	Fraser	Green
Haywood	Henke	Hilgemann	Hoskins	Johnson 90
Jones	McKenna	Meadows	Muckler	Portwood
Sager	Salva	Schoemehl	Selby	Shoemyer
Vogt	Walker	Walsh	Ward	Whorton
Wildberger	Wilson 25	Wilson 42	Yaeger	

PRESENT: 004

Abel	Darrough	Engler	Kelly 36
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ABSENT WITH LEAVE: 008

Avery	Barnitz	Bivins	Boykins	Carnahan
Johnson 61	Thompson	Wagner		

Representative Cooper (155) declared the bill passed.

HCS HB 1115, relating to the Commonsense Consumption Act, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HCS HB 1115** was read the third time and passed by the following vote:

AYES: 117

Angst	Baker	Bean	Bearden	Behnen
Black	Bough	Bringer	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	George	Goodman	Graham
Guest	Hampton	Harris 110	Harris 23	Henke
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Luetkemeyer
May	Mayer	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Selby
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Wallace	Walsh
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Witte	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 034

Bishop	Bland	Boykins	Brooks	Burnett
Donnelly	Dougherty	El-Amin	Fraser	Green
Haywood	Hilgemann	Hoskins	Johnson 90	Jolly
Jones	LeVota	Lowe	McKenna	Meadows
Muckler	Sager	Schoemehl	Shoemyer	Skaggs
Spreng	Villa	Vogt	Walker	Walton
Wilson 25	Wilson 42	Yaeger	Zweifel	

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 011

Abel	Avery	Barnitz	Bivins	Campbell
Carnahan	Johnson 61	Marsh	Purgason	Thompson
Wagner				

Representative Cooper (155) declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1664 - Judiciary
HB 1665 - Financial Services

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 730 - Budget (Fiscal Note)

SCS SB 878 - Communications, Energy and Technology

COMMITTEE REPORTS

Committee on Corrections and State Institutions, Chairman Kelly (144) reporting:

Madam Speaker: Your Committee on Corrections and State Institutions, to which was referred **HB 1444**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1487**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **HB 1048**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1090**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1233**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1253**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 1529** and **HB 1655**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 1603**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1445**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Retirement, Chairman Smith (118) reporting:

Madam Speaker: Your Committee on Retirement, to which was referred **HB 1069**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Retirement, to which was referred **HB 1217**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Retirement, to which was referred **HB 1440**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Retirement, to which was referred **HB 1502**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 1631** and **HB 1623**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1405**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1660**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1172**, entitled:

An act to amend chapter 109, RSMo, by adding thereto two new sections relating to the preservation of public records.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

March 15, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
SECOND REGULAR SESSION
92ND GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill Nos. 950 & 948** entitled:

"AN ACT"

To repeal sections 48.020 and 48.030, RSMo, and to enact in lieu thereof two new sections relating to classifications of counties.

On March 15, 2004, I approved said **House Committee Substitute for House Bill Nos. 950 & 948**.

Respectfully submitted,

/s/ Bob Holden
Governor

COMMUNICATION

March 11, 2004

Mr. Stephen Davis
Chief Clerk
Missouri House of Representatives
State Capitol - Room 306C
Jefferson City, MO 65101

Dear Mr. Davis:

Pursuant to Chapters 105.452 to 105.461, RSMo., this letter is an official report that I have invested in agriculture value-added cooperative in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits or loan guarantees. I would not have more than a ten percent interest in the proposed value-added venture.

In order for me to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ John Quinn
State Representative
District 7

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, March 16, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Terry Young, District 49, hereby state and affirm that my vote as recorded on Page 616 of the House Journal for Thursday, March 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of March 2004.

/s/ Terry Young
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1507, HB 1546, HB 1432

BUDGET

Tuesday, March 16, 2004, 8:00 a.m. Hearing Room 3.

Fiscal review. Possible Executive session.

Public hearings to be held on: HB 1055, HB 1305, HB 1041, HB 855, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Tuesday, March 16, 2004, 8:00 p.m. Hearing Room 3.

Fiscal review. Possible Executive session.

Public hearings to be held on: HB 1055, HB 1305, HB 1041, HB 855, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Wednesday, March 17, 2004, 8:00 a.m. Hearing Room 3.

Committee reports.

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, March 18, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 1325, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CHILDREN AND FAMILIES

Tuesday, March 16, 2004, Hearing Room 1 upon evening adjournment.

Hearing will be held upon evening adjournment or 5:00 p.m., whichever is earlier.

Executive session will be held.

Public hearings to be held on: HB 1579, HB 1293

Executive session will be held on: HB 846, HB 1349, HB 1579

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, March 16, 2004, Hearing Room 7 upon morning adjournment.

Executive session will follow. AMENDED

Public hearings to be held on: HB 1459, HB 1378, HCR 22

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 17, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1455, HB 1472, HB 1567

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 16, 2004, Hearing Room 3 upon evening adjournment.

Public hearings to be held on: HB 1329, HB 764, HB 1465, SS SB 1000

Executive session will be held on: HB 1403, HB 1274, HB 979

EDUCATION

Wednesday, March 17, 2004, 8:30 a.m. Hearing Room 6.

Executive session.

Public hearings to be held on: SB 1080, HB 1191

FINANCIAL SERVICES

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1160, HB 1509

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

JUDICIARY

Wednesday, March 17, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 1617, HCR 13, HB 1143, HB 1148, HB 1269, SCS SB 1100

Executive session will be held on: HB 1511, HB 1065, HB 1213, HB 1617, HB 1336, SCS SB 1100

LOCAL GOVERNMENT

Thursday, March 18, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1199, HB 1292, HB 1446, SS SB 732, SCS SB 1062

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1334, HB 1214, HB 1522

Executive session may be held on: HB 837, HB 1464

SMALL BUSINESS

Wednesday, March 17, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 891, HB 1581

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, March 16, 2004, 6:00 p.m. Hearing Room 2.

Public hearing to be held on: SCS SB 1045

TAX POLICY

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1420, HB 1467, HJR 54

TOURISM AND CULTURAL AFFAIRS

Tuesday, March 16, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1547, HB 1553, HB 1556, HCR 15, SB 783

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 17, 2004, 12:00 p.m. Hearing Room 7.

Senate bills will be heard first.

Public hearings to be held on: HB 857, HJR 31, HB 1583, SCS SB 767, SB 770, SCS SB 1006

HOUSE CALENDAR

THIRTY-NINTH DAY, TUESDAY, MARCH 16, 2004

HOUSE BILLS FOR SECOND READING

HB 1672 through HB 1674

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 978 - Baker (123)
- 3 HCS HB 1380 - Lager (4)
- 4 HCS HB 1278, as amended, HA 2, pending - Luetkemeyer (115)
- 5 HCS HB 1150 - May (149)
- 6 HB 1092 - Deeken (114)
- 7 HCS HB 1207 - Icet (84)
- 8 HCS HB 1566 - Stefanick (93)
- 9 HCS HB 774 - Sander (22)
- 10 HCS HB 795, 972, 1128 & 1161 - Johnson (47)
- 11 HCS HB 843, 880 & 1042 - Angst (146)
- 12 HB 869 - Townley (112)
- 13 HCS HB 988 - Yates (56)
- 14 HCS HB 1074 & 1129 - Byrd (94)
- 15 HCS HB 1098 & 949 - Goodman (132)
- 16 HCS HB 1099 - Reinhart (34)
- 17 HCS HB 1152 - Wilson (130)
- 18 HB 1193 - Self (116)
- 19 HCS HB 1277 - Townley (112)
- 20 HB 1424 - Stefanick (93)
- 21 HB 1504 - Lipke (157)
- 22 HB 1616 - Hanaway (87)
- 23 HB 1487 - Self (116)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/04)

- 1 HCS HB 985 - Wood (62)
- 2 HB 996 - Dusenberg (54)
- 3 HCS HB 1136 - Rupp (13)
- 4 HB 1187 - Ervin (35)
- 5 HB 1188 - Lipke (157)
- 6 HCS HB 1288 - Threlkeld (109)
- 7 HCS HB 1179 - Corcoran (77)
- 8 HCS HB 1347 - Jetton (156)
- 9 HCS HB 1456 - Black (161)

(3/11/04)

- 1 HCS HB 798 - Shoemaker (8)
- 2 HB 822 - Luetkemeyer (115)
- 3 HCS HB 1246 - Portwood (92)
- 4 HCS HB 1422 - Stefanick (93)
- 5 HB 1427 - Portwood (92)
- 6 HB 1364 - Bishop (38)
- 7 HB 1572 - St. Onge (88)
- 8 HB 1622 - Wasson (141)

(3/15/04)

- 1 HCS HB 928 - Bivins (97)
- 2 HB 970 - Portwood (92)
- 3 HCS HB 1123 - Smith (14)
- 4 HCS HB 1201 - Dusenberg (54)
- 5 HCS HB 1280 - Kingery (154)
- 6 HCS HB 1284 - Engler (106)
- 7 HB 1438 - Ward (107)
- 8 HB 1442 - Lipke (157)
- 9 HCS HB 1449 - Bruns (113)
- 10 HB 1489 - Barnitz (150)
- 11 HB 1508 - Baker (123)
- 12 HB 1575 - Mayer (159)
- 13 HB 1493 - Emery (126)
- 14 HB 1407 - Mayer (159)
- 15 HB 1362, HCA 1 - Hobbs (21)
- 16 HB 1377 - Sutherland (99)
- 17 HCS HB 1321 - Schaaf (28)
- 18 HB 1608 - Dougherty (53)

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- 19 HB 1635 - Salva (51)
- 20 HB 1612 - Bringer (6)
- 21 HB 1634 - Behnen (2)
- 22 HCS HB 1524 - Ransdall (148)
- 23 HCS HB 1614 - Holand (135)
- 24 HB 1604 - Bean, Jr. (163)
- 25 HB 1610 - Ward (107)
- 26 HB 1613 - Morris (138)

(3/16/04)

- 1 HB 1048 - Parker (12)
- 2 HCS HB 1069 - Bivins (97)
- 3 HCS HB 1090 - Bishop (38)
- 4 HB 1217 - Johnson (47)
- 5 HCS HB 1233 - Dixon (140)
- 6 HCS HB 1253 - Luetkemeyer (115)
- 7 HCS HB 1405 - Dougherty (53)
- 8 HB 1440 - Deeken (114)
- 9 HB 1444 - Moore (20)
- 10 HB 1445 - Mayer (159)
- 11 HB 1502 - Wilson (42)
- 12 HCS HB 1529 & 1655 - Lembke (85)
- 13 HB 1603 - Lager (4)
- 14 HCS HB 1631 & 1623 - Dixon (140)
- 15 HCS HB 1660 - Lager (4)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 12, (3-11-04, Page 622) - Kelly (36)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1305, (Budget 3-10-04) - Byrd (94)
- 2 HCS HB 855, (Budget 3-11-04) - Holand (135)
- 3 HCS HB 1055, (Budget 3-11-04) - Bruns (113)
- 4 HCS HB 1041, (Budget 3-11-04), E.C. - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1363 - Fares (91)
- 2 HCS HB 1439 - Crawford (117)
- 3 HB 826 - Kelly (144)
- 4 HB 1291 - Pearce (121)
- 5 HB 956 - May (149)

- 6 HB 1398 - Lager (4)
- 7 HCS HB 1399 - Lager (4)
- 8 HB 1259 - Threlkeld (109)
- 9 HB 1317 - Kingery (154)
- 10 HB 937 - Moore (20)
- 11 HB 904 - Luetkemeyer (115)
- 12 HB 824 - Seigfreid (26)
- 13 HCS HB 883 - Graham (24)
- 14 HB 884 - Ward (107)
- 15 HCS HB 912 - Page (82)
- 16 HB 1029, HCA 1 - Henke (11)
- 17 HB 1114 - Skaggs (31)
- 18 HB 1142, HCA 1 - Daus (67)
- 19 HCS HB 1171 - Rector (124)
- 20 HCS HB 1192 - Schlottach (111)
- 21 HB 1223 - Ward (107)
- 22 HCS HB 1471 - Brooks (37)

SENATE BILL FOR SECOND READING

SCS SB 1172

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 730, (Budget 3-15-04) - Portwood (92)
- 2 HCS SB 739 - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

HOUSE CONCURRENT RESOLUTION

HCR 10, (3-11-04, Page 618) - Myers (160)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

THIRTY-NINTH DAY, TUESDAY, MARCH 16, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend Donald W. Lammers.

(If the truth is necessary for all successful human communication, it is essential in the work of this body. We begin with a few words from Jesus' prayer for his disciples, and end with a verse from the Hebrew scriptures.)

Let us pray.

Jesus prayed, "Consecrate them in the truth. Your word is truth. As You sent me into the world, so I sent them into the world. And I consecrate myself for them, so that they also may be consecrated in truth." (*John 17:17-18*)

Holy God, today, help us to discern what is true. When several truths compete for our attention, give us the vision to see which is of greater importance in Your view. When several truths deserve consideration at once, give us the wisdom to place them in the order of priority that You would choose.

With the writer of Psalm 25 we pray:

"Guide me in Your truth and teach me, for You are God my Savior, and for You I wait all the day."
(*Psalm 25:5*)

We pray to You, our God for ever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Castor, Brooklyn Summerville, Sarah Kirkman, Stephanie Anderson, Billy Horton, Matthew Koyne, Melanie Pancoast, Sam Pautler, Laura Jursek, Sang-Woo Nam, Patrick Wilson, Eriq Kristek, Catherine Kristek, Grace Kristek, Parker Breeden, Nicollette Fellwork, AnnaMaria Maples, Sally Cowherd, Shelby Gilbreath, Blake Worm, Zack Meehan, Lauren Staehr, Nicholas de Jong and Connor Burkett.

The Journal of the thirty-eighth day was approved as corrected.

SPECIAL RECOGNITION

Diane Juergensmeyer was introduced by Representative Luetkemeyer and recognized as an Outstanding Missourian.

Representative Wilson (130) assumed the Chair.

HOUSE RESOLUTION

Representatives Harris (110) and Barnitz offered House Resolution No. 1126.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1083 - Representative Sander
House Resolution No. 1084
through
House Resolution No. 1115 - Representative Hanaway
House Resolution No. 1116 - Representative Dethrow
House Resolution No. 1117 - Representatives Fares and Moore
House Resolution No. 1118
and
House Resolution No. 1119 - Representative Cunningham (145)
House Resolution No. 1120 - Representative Seigfreid
House Resolution No. 1121
through
House Resolution No. 1125 - Representatives Harris (110) and Abel
House Resolution No. 1127 - Representative Lipke

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1675, introduced by Representatives Pratt, Yates, Byrd and Dusenberg, relating to municipal judges.

SECOND READING OF HOUSE BILLS

HB 1672 through **HB 1674** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 1172 was read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 855** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 1041** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 1055** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 1305**, begs leave to report it has been **furnished an updated fiscal note and does not require fiscal review**.

PERFECTION OF HOUSE BILLS

HCS HBs 1074 & 1129, relating to cross burning, was taken up by Representative Byrd.

On motion of Representative Byrd, **HCS HBs 1074 & 1129** was adopted.

On motion of Representative Byrd, **HCS HBs 1074 & 1129** was ordered perfected and printed.

HCS HBs 1098 & 949, relating to inaugural committees, was taken up by Representative Goodman.

Representative Selby offered **House Amendment No. 1**.

Representative Goodman raised a point of order that **House Amendment No. 1** goes beyond the scope of the underlying bill.

Representative Wilson (130) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Pro Tem Jetton resumed the Chair.

On motion of Representative Goodman, **HCS HBs 1098 & 949** was adopted.

On motion of Representative Goodman, **HCS HBs 1098 & 949** was ordered perfected and printed.

HB 1504, relating to highway access, was taken up by Representative Lipke.

On motion of Representative Lipke, **HB 1504** was ordered perfected and printed.

HB 869, relating to veterinarians, was taken up by Representative Townley.

On motion of Representative Townley, **HB 869** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 1363, relating to the St. Louis Archives, was taken up by Representative Fares.

On motion of Representative Fares, **HCS HB 1363** was adopted.

On motion of Representative Fares, **HCS HB 1363** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 004

Avery

Baker

Boykins

Cooper 155

Speaker Pro Tem Jetton declared the bill passed.

HCS HB 1439, relating to transportation, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HB 1439** was adopted.

On motion of Representative Crawford, **HCS HB 1439** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Baker Hobbs

Speaker Pro Tem Jetton declared the bill passed.

HB 826, relating to a memorial highway, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **HB 826** was read the third time and passed by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wates 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Boykins

Speaker Pro Tem Jetton declared the bill passed.

Representative Wilson (130) resumed the Chair.

HB 1291, relating to homeowners' insurance, was taken up by Representative Pearce.

On motion of Representative Pearce, **HB 1291** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Hilgemann Townley

Representative Wilson (130) declared the bill passed.

HB 956, relating to the official state grass, was taken up by Representative May.

On motion of Representative May, **HB 956** was read the third time and passed by the following vote:

AYES: 146

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Curls	Darrough	Daus	Davis 19
Decken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Green
Guest	Hampton	Harris 110	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 47	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Ruestman
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 012

Burnett	Cunningham 86	Davis 122	Donnelly	Graham
Harris 23	Johnson 61	Johnson 90	Roark	Rupp
Shoemaker	Swinger			

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 004

Avery	Jackson	Ransdall	St. Onge
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Representative Wilson (130) declared the bill passed.

HB 1398, relating to depositaries for city funds, was taken up by Representative Lager.

On motion of Representative Lager, **HB 1398** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bean	Boykins	Nieves	Taylor
Wasson	Wilson 42			

Representative Wilson (130) declared the bill passed.

HCS HB 1399, relating to athletic trainers, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 1399** was adopted.

On motion of Representative Lager, **HCS HB 1399** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bland	Boykins	Brooks	Pearce
Sutherland	Taylor	Wasson	Wilson 42	

Representative Wilson (130) declared the bill passed.

HB 1259, relating to licensure of motor vehicle dealers, was taken up by Representative Threlkeld.

On motion of Representative Threlkeld, **HB 1259** was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Brooks	Haywood	Hunter
Sutherland	Taylor	Wasson		

Representative Wilson (130) declared the bill passed.

HB 937, relating to a special license plate, was taken up by Representative Moore.

HB 937 was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Wilson (130).

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1128
and
House Resolution No. 1129 - Representative Hanaway
House Resolution No. 1130
through
House Resolution No. 1133 - Representative Wildberger
House Resolution No. 1134 - Representative Moore
House Resolution No. 1135 - Representative Hunter
House Resolution No. 1136 - Representative Hunter, et al
House Resolution No. 1137 - Representative Dempsey
House Resolution No. 1138
and
House Resolution No. 1139 - Representative Yaeger
House Resolution No. 1140 - Representative Taylor
House Resolution No. 1141 - Representative Salva
House Resolution No. 1142 - Representative Goodman
House Resolution No. 1143
through
House Resolution No. 1145 - Representatives Goodman and Taylor
House Resolution No. 1146
and
House Resolution No. 1147 - Representative Dixon
House Resolution No. 1148 - Representatives Hilgemann and Carnahan
House Resolution No. 1149 - Representative Taylor

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1676, introduced by Representatives Yates and Icet, relating to the competitive government act.

HB 1677, introduced by Representatives Jackson, Bough, Rector, Wood, Deeken, Bivins, Munzlinger, Davis (19), Emery, Lembke, Morris and Kelly (36), relating to child custody.

THIRD READING OF HOUSE BILLS

HCS HB 1305, relating to medical malpractice insurance, was taken up by Representative Byrd.

On motion of Representative Byrd, **HCS HB 1305** was read the third time and passed by the following vote:

AYES: 137

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Bringer	Brown	Bruns	Byrd	Campbell
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Haywood
Henke	Hilgemann	Hobbs	Hubbard	Hunter
Icet	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Wagner
Walker	Wallace	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 018

Bland	Brooks	Burnett	Carnahan	El-Amin
Fraser	Harris 23	Hoskins	Johnson 90	Lowe
Salva	Spreng	Thompson	Vogt	Walsh
Walton	Wilson 25	Wilson 42		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 007

Avery	Barnitz	Boykins	Davis 19	Holand
Jackson	Ruestman			

Representative Wilson (130) declared the bill passed.

HOUSE CONCURRENT RESOLUTION

HCR 10, relating to Menfro soil, was taken up by Representative Myers.

On motion of Representative Myers, **HCR 10** was adopted.

THIRD READING OF HOUSE BILLS - CONSENT

HB 937, relating to a special license plate, was again taken up by Representative Moore.

On motion of Representative Moore, **HB 937** was read the third time and passed by the following vote:

AYES: 141

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Engler	Ervin	Fares	George
Goodman	Graham	Green	Guest	Hampton
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Wood	Wright	Young	Zweifel
Madam Speaker				

NOES: 019

Davis 19	Donnelly	Dusenberg	Emery	Fraser
Harris 110	Hoskins	Jackson	Johnson 47	Roark
Smith 118	Thompson	Townley	Vogt	Walker
Wilson 25	Witte	Yaeger	Yates	

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 002

Avery Barnitz

Representative Wilson (130) declared the bill passed.

HB 904, relating to bulk transfers, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HB 904** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 002

Salva Selby

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery Johnson 61 Johnson 90 Shoemaker Smith 118

Representative Wilson (130) declared the bill passed.

HB 824, relating to tourism tax, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 824** was read the third time and passed by the following vote:

AYES: 144

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrrough
Daus	Davis 122	Deeken	Dethrow	Donnelly
Dougherty	El-Amin	Emery	Engler	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Young	Zweifel	Madam Speaker	

NOES: 012

Dixon	Dusenberg	Ervin	Green	Lembke
LeVota	Page	Roark	Ruestman	Stevenson
Taylor	Yates			

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Davis 19	Dempsey	Harris 23	Johnson 61
Shoemaker	Walker			

Representative Wilson (130) declared the bill passed.

HCS HB 912, relating to a memorial highway, was taken up by Representative Page.

On motion of Representative Page, **HCS HB 912** was adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Rupp	Sager	Salva	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Sander

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Cunningham 145	Dempsey	Fares	Johnson 61
Ruestman	Shoemaker			

Representative Purgason assumed the Chair.

On motion of Representative Page, **HCS HB 912** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120

Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Thompson	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Brooks

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 007

Avery	Burnett	Johnson 61	Ruestman	Swinger
Taylor	Threlkeld			

Representative Purgason declared the bill passed.

HCS HB 1171, relating to joint municipal utility projects, was taken up by Representative Rector.

On motion of Representative Rector, **HCS HB 1171** was adopted.

On motion of Representative Rector, **HCS HB 1171** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland

Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Salva Selby

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Baker Johnson 61

Representative Purgason declared the bill passed.

HCS HB 1192, relating to animal health and meat inspections, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS HB 1192** was adopted.

On motion of Representative Schlottach, **HCS HB 1192** was read the third time and passed by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks

Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icey	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schoemehl
Seigfreid	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 003

Daus	Fraser	Wilson 25
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PRESENT: 003

El-Amin	Graham	LeVota
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ABSENT WITH LEAVE: 007

Avery	Burnett	Cooper 155	Johnson 61	Schneider
Shoemaker	Thompson			

Representative Purgason declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 988, relating to county political party committees, was taken up by Representative Yates.

On motion of Representative Yates, **HCS HB 988** was adopted.

On motion of Representative Yates, **HCS HB 988** was ordered perfected and printed.

HCS HB 1277, relating to hazardous waste management, was taken up by Representative Townley.

On motion of Representative Townley, **HCS HB 1277** was adopted.

On motion of Representative Townley, **HCS HB 1277** was ordered perfected and printed.

Representative Wilson (130) resumed the Chair.

HCS HBs 795, 972, 1128 & 1161, relating to county government, was taken up by Representative Johnson (47).

Representative Johnson (90) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 50.339, Line 13, by inserting after all of said line the following:

"64.242. 1. All streets contained within any subdivision plan of development regulated under sections 64.211 to 64.295 shall comply with all county road specifications upon completion of the plan of development.

2. Any board or committee established to govern any part of the subdivision, including any review committees, shall provide proportional representation of the homeowners in the subdivision based on the percentage of homeowners in the subdivision other than the developer. Upon the sale or the completion of the development of the subdivision, the developer shall relinquish all positions on any board or committee governing any part of the subdivision to the homeowners.

3. No member of any board shall have any financial interest in any subdivision of land development project or in any entity that develops subdivisions of land within the county for which the person serves as a member of the board.

64.820. 1. From and after the adoption of the official master plan or portion thereof and its proper certification and recording, thereafter no improvement of a type embraced within the recommendations of the official master plan, or part thereof, shall be constructed or authorized without first submitting the proposed plans thereof to the county planning commission and receiving the written approval or recommendations of the commission. This requirement shall be deemed to be waived if the county planning commission fails to make its report and recommendations within forty-five days after receipt of the proposed plans. In the case of any public improvement sponsored or proposed to be made by any municipality or other political or civil subdivision of the state, or public board, commission or other public officials, the disapproval or recommendations of the county planning commission may be overruled by a two-thirds vote, properly entered of record and certified to the county planning commission, of the governing body of the municipality, or other political or civil subdivision, or public board, commission or officials, after the reasons for the overruling are spread upon its minutes, which reasons shall also be certified to the county planning commission.

2. The county planning or zoning commission shall file a recommendation and report with the county commission. The scope of review by the county commission shall be limited to the recommendation and report of the planning or zoning commission; except that the county commission may hear and consider additional evidence, if the county commission finds that the evidence in the exercise of reasonable diligence could not have been produced, or was improperly excluded at the hearing before the planning or zoning commission. The county commission may in any case hear and consider evidence of alleged irregularities in procedure, or of unfairness by the planning or zoning commission, not shown in the record. The county commission in determining the result reached by the planning or zoning commission shall give due weight to the opportunity of the planning or zoning commission to observe the witnesses and to the expertness and experience of the planning or zoning commission. Whenever the county commission finds there is competent and material evidence, which in the exercise of reasonable diligence could not have been produced, or was improperly excluded at the hearing before the planning or zoning commission, the county commission may remand the case to the planning or zoning commission with directions to reconsider the same in the light of the evidence. The report shall consist of a complete transcript of the entire record, proceedings and evidence before the planning or zoning commission. The county commission before deciding the case shall personally consider the whole record, or such portions

thereof as may be cited by the parties, and shall personally consider any oral or written arguments presented by all interested parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Hanaway assumed the Chair.

HCS HBs 795, 972, 1128 & 1161, with House Amendment No. 1, pending, was laid over.

**SPECIAL ADDRESS
BY
SENATOR CHRISTOPHER "KIT" BOND**

Thank you Madam Speaker. It is an honor to be here today to talk about a program that is very close to my heart, Parents as Teachers.

Twenty years ago, when I was Governor, Missouri broke new ground with the enactment of the Early Childhood Development Act which took the Parents as Teachers program state wide. This was a landmark achievement.

Everyone recognizes the importance of a child's first three years and the vital role that parents play, but that was not always that case.

When I was pushing for enactment of the Early Childhood Education Act in the early 1980s, most of you were not yet in the legislature.

Many of you may not realize how forward thinking the concept of parental involvement truly was at the time and how hard a fight it was to get it through the General Assembly.

Today we are fortunate to have the founder of the Parents as Teachers Program here with us today, Mildred Winter. Mildred has been involved from the very beginning. Thanks to her vision and commitment millions of parents have received the support they need to give their child the very best start in life.

My involvement with Parents as Teachers began in 1979. Then Commissioner of Elementary and Secondary Education, Dr. Arthur Mallory, who worked for me the previous term when I had been Governor, came to talk to me about this very interesting idea. I am so pleased that my good friend Dr. Mallory could be here with us today.

The concept behind Parents as Teachers was developed by a group of Missouri Educators who had noticed that children were starting Kindergarten with varying levels of school readiness.

Research demonstrated that greater family involvement in children's early learning was a critical link to the child's development of academic skills, including reading and writing. They believed that a program to help parents understand their role in encouraging their child's development right from birth could help prepare children for school and life success.

Such a program, available to all families, would help level the playing field for all children. It was Dr. Mallory who first sold me on the merits of the program.

In 1981, this idea was tested with a pilot project at four Missouri school districts. After the pilot had been operating for three years, findings from an evaluation were released.

It showed that children of parents participating in the program consistently scored higher on all measure of intelligence, achievement, auditory comprehension, verbal and language ability, and social development than did children in a comparison group. The idea had worked!

In 1982, I also set up something called the Children's Trust Fund Commission to help reduce child abuse. We brought together 25 eminent children's leaders from education, health and religious organizations around the State who studied child abuse prevention.

They came back in 1984 with the unanimous recommendation to adopt Parents as Teachers as a way to help the families address the challenges of raising a child.

Over these years, I had recommended Parents as Teachers to the Missouri General Assembly. They did not pass it in 1981. They did not pass it in 1982. They did not pass it in 1983. But being stubborn, I came back in 1984, armed with the positive results from the pilot project and with the Director of Corrections.

In testimony before Committee he pointed out that parental involvement and parental responsibility would help reduce the population of our corrections system.

He concluded that supporting Parents as Teachers was one of the most important things we could do for the long-term future of our State.

Fortunately, after a bit of cajoling, a little wheeling and dealing, and a few side deals that I will not mention here, the Missouri General Assembly finally adopted Parents as Teachers as a statewide program in 1984.

This made Missouri one of the first states to recognize that early parent support can reap huge benefits not only for children and families but also for schools, communities, and our country. Missouri was a true pioneer.

I would be remiss if I did not mention a tremendous partner and ally in this effort, Senator Harry Wiggins. Senator Wiggins sponsored the legislation for me in 1984.

I am sorry he could not be here today due to his health. Without his leadership and passion on this issue, success would not have been possible.

I would also like to acknowledge Senators Goode and Bland. They both served in the House of Representatives in 1984 and have been true friends to Parents as Teachers throughout their legislative careers. I thank you.

Over the past 20 years what began as an experiment in Missouri has expanded to more than 3,000 programs in all 50 states, as well as seven other countries.

We estimate that the program has served more than 2 million families over that time. In this past year, in Missouri alone, Parents as Teachers served 164,000 families with more than 175,000 children.

And, as a result of Parents as Teachers, more than 141,000 children were screened for developmental, language, hearing and vision; 16,353 children were identified with potential developmental delays and referred for further evaluation; 12,191 children received follow-up services in Missouri.

Thanks to early identification and intervention more children are getting the care and the services they need to fix problems before they escalate.

The continued success of Parents as Teachers is undeniable, and the research reveals this in many important ways.

For example, independent studies of Parents as Teachers conducted in Missouri since the pilot project have shown that:

At age 3, Parents as Teachers children performed significantly above the national norms on a measure of school-related achievement. This relative level of achievement that Parents as Teachers children achieved at age 3 was maintained at the end of the first and second grade.

Third graders who had received Parents as Teachers visits with screening services scored significantly higher on standardized measures of achievement than their non-participating counterparts. Specifically, on the Stanford

Achievement Test, Parents as Teachers children had a national percentile rank of 81, while non-participating students had a rank of 63. Furthermore, Parents as Teachers graduates were less likely to need remedial reading assistance or to be held back a grade in school.

The most recent study of Parents as Teachers, published in 2002, found that the school readiness scores of Missouri's children in high poverty school who participated in PAT were equivalent to those of children at low poverty school who had no preschool enrichment.

Parents as Teachers helps to close the achievement gap - exactly what the program set out to do 20 years ago. In doing so, it is also saving our state money.

Parents as Teachers also engages parents in their child's development and education from the earliest years. For example, one study demonstrated that:

Missouri parents who participated in Parents as Teachers and whose children also participated in either preschool or center-based child care engaged in more frequent home literacy activities - such as reading to their child or telling stories to their child - than parents whose children only participated in either preschool or center-based child care. These home literacy activities were related to the children being rated as having above average preparation for kindergarten.

Furthermore, participation in Parents as Teachers results in increased parental involvement once the child reaches school age, which research shows is positively related to achievement.

Results such as these are why Parents as Teachers must be made available to all families. What family does not benefit from early screenings? What family does not benefit from information about how to best promote their child's early development? I know we did with my son Sam.

This country believes strongly in a public school system to which ALL children have access. In Missouri we had the wisdom to define education as beginning in the earliest years. This means Parents as Teachers can be offered without stigma or labeling and all families can share its benefits.

Today, working men and women are finding it increasingly difficult to balance family and work responsibilities. Certainly, being a parent is hard enough work, and many do not have the tools or resources to give their children the head start they need to succeed.

Increasing support for Parents as Teachers is now more important than ever.

Unfortunately, not all families have access to Parents as Teachers today. Approximately 269,716 families and 332,907 children are served by Parents as Teachers annually nationwide.

And while this is a tremendous accomplishment, there are more families that need to be reached by this life-changing program.

The bill I will introduce soon in Washington, the Education Begins at Home Act, makes a bold federal investment in parents by establishing the first, dedicated federal funding stream to support the expansion of Parents as Teachers at the state and local level.

The bill authorizes \$500 million in federal funds over three years to expand services to more than 2.7 million families nationwide. Here in Missouri the funds could be used to supplement, not supplant, current state funding.

The funding will allow Missouri to take Parents as Teachers to the next level - reaching even more families and providing even more intensive services to all families, especially those families with high needs.

The bill will also focus particular attention on encouraging more collaboration between Parents as Teachers and the Early Head Start Program as well as expanding access to PAT for military families and families with limited English proficiency.

Just a few weeks ago, 500 children, parents and early childhood educators gathered in the Capitol Rotunda to celebrate the 20th anniversary of the Parents as Teachers Program and to thank the legislature for its support.

They made the trip to Jefferson City because they support and believe in power and the effectiveness of Parents as Teachers.

Some that gathered in the Rotunda were families that participated in the program, some were parent-educators trained in the PAT curriculum, some were teachers and superintendents who are on the front lines everyday and have seen first hand the difference this exceptional program has had in the lives of children and families.

Some of you may have joined them for that important celebration or have met with representatives from your local PAT program. It is hard to come in contact with these folks and not be moved by their stories.

Parents as Teachers is a sound investment in children and families as the results of the program clearly demonstrate.

Missouri was ahead of its time in 1984 when we redefined our public education system to begin at birth and we made parents central to a child's success. The rest of the country is still catching up, just beginning to realize what we've known here for years.

Thank you.

PERFECTION OF HOUSE BILL

HCS HBs 795, 972, 1128 & 1161, with House Amendment No. 1, pending, relating to county government, was again taken up by Representative Johnson (47).

Representative Pearce assumed the Chair.

Representative Cooper (120) assumed the Chair.

Representative Johnson (90) moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Bishop	Bland	Bringer	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrrough
Daus	Davis 122	Donnelly	Dougherty	El-Amin
Fraser	George	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

NOES: 092

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hampton	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lawson	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	McKenna
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

PRESENT: 001

Lowe

ABSENT WITH LEAVE: 008

Abel	Avery	Boykins	Graham	Johnson 61
Pratt	Thompson	Wildberger		

Representative Sutherland offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 50.339, Line 13, by inserting after said line the following:

“64.520. Such county planning commission shall consist of the county highway engineer, and one resident of the county appointed by the county commission, from the unincorporated part of each township in the county, except that no such freeholder shall be appointed from a township in which there is no unincorporated area. The township representatives are hereinafter referred to as appointed members. The term of each appointed member shall be four years or until his successor takes office, except that the terms shall be overlapping and that the respective terms of the members first appointed may be less than four years. The term of the county highway engineer shall be only for the duration of his tenure of official position. All members of the county planning commission shall serve as such without compensation, except that an attendance fee as reimbursement for expenses for hearings, and for not to exceed two administrative meetings per month, may be paid to the appointed members of the planning commission in an amount, as set by the county commission, not to exceed [fifteen] **twenty-five** dollars for each meeting. The planning commission shall elect its chairman, who shall serve for one year.

64.805. The county planning commission shall consist of the county highway engineer, and one resident of the county appointed by the county commission, from the unincorporated part of each township in the county, except that no such person shall be appointed from a township in which there is no unincorporated area. The township representatives are hereinafter referred to as appointed members. The term of each appointed member shall be four years or until his successor takes office, except that the terms shall be overlapping and that the respective terms of the members first appointed may be less than four years. The term of the county highway engineer shall be only for the duration of his tenure of official position. All members of the county planning commission shall serve as such without compensation,

except that an attendance fee as reimbursement for expenses, for not to exceed four meetings per year, may be paid to the appointed members of the county planning commission in an amount, as set by the county commission, not to exceed [ten] **twenty-five** dollars per meeting. The planning commission shall elect its chairman, who shall serve for one year.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Smith (118) offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 1, Section 64.520, Line 2, by adding after the word “**engineer**” the following:

“or head of the Highway Department”; and

Further amend said amendment, Line 4, by deleting the word “**freeholder**” and inserting the word “**resident**”.

On motion of Representative Smith (118), **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Sutherland, **House Amendment No. 2, as amended**, was adopted.

Representative Meiners offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Section 304.010, Page 6, Line 96, by inserting the following after all of said line:

“475.275. **1.** The conservator, at the time of filing any settlement with the court, shall exhibit all securities or investments held by him to an officer of the bank or other depository wherein the securities or investments are held for safekeeping or to an authorized representative of the corporation which is surety on his bond, or to the judge or clerk of a court of record in this state, or upon request of the conservator or other interested party, to any other reputable person designated by the court, who shall certify in writing that he has examined the securities or investments and identified them with those described in the account and shall note any omission or discrepancies. If the depository is the conservator, the certifying officer shall not be the officer verifying the account. The conservator may exhibit the securities or investments to the judge of the court, who shall endorse on the account and copy thereof, a certificate that the securities or investments shown therein as held by the conservator were each in fact exhibited to him and that those exhibited to him were the same as those in the account and noting any omission or discrepancy. The certificate, and the certificate of an official of the bank in which are deposited any funds for which the conservator is accountable, showing the amount on deposit, shall be prepared and signed in duplicate and one of each shall be filed by the conservator with his account.

2. (1) As used in this section, "pooled account" means any account maintained by a fiduciary for more than one principal and established to manage and invest the funds of such principals. No fiduciary shall place funds into a pooled account unless the account meets the following criteria:

(a) The pooled account is maintained at a bank or savings and loan institution;

(b) The pooled account is titled in such a way as to reflect that the account is being held by a fiduciary in a custodial capacity;

(c) The fiduciary maintains, or causes to be maintained, records containing information as to the name and ownership interest of each principal in the pooled account;

(d) The fiduciary's records contain a statement of all accretions and disbursements; and

(e) The fiduciary's records are maintained in the ordinary course of business and in good faith.

(2) The public administrator of any county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants serving as conservator and using pooled accounts for the investing and management of conservatorship funds shall have any such accounts audited on at least an annual basis by an independent certified public accountant. The audit shall review the records of the receipts and disbursements of each estate account. Upon completion of the investigation, the certified public accountant shall render a report to the judge of record in this state showing the receipts, disbursements, and account balances as to each estate as well as the total assets on deposit in the pooled account on the last calendar day of each year. The county shall provide for the expense of the audit. If the public administrator has provided the judge with the audit required by this subsection, the public administrator shall not be required to obtain the written certification of an officer of a bank or other depository on any estate asset maintained within the pooled account as required in subsection 1 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Meiners, **House Amendment No. 3** was adopted.

Speaker Pro Tem Jetton resumed the Chair.

Representative Smith (118) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 6, Section 304.010, Line 96, by inserting the following after all of said line:

“Section 1. Nothing in chapter 61, RSMo, shall require the county commission to hire a county engineer. The county commission may hire and authorize an individual to perform those duties the individual is qualified for, based upon the individual’s education and training.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 4** was adopted.

Representative Whorton offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 6, Section 304.010, Line 96, by inserting at the end of said line the following:

“537.550. 1. No county, city or village with ten thousand or fewer inhabitants that organizes, sponsors, or conducts any fair, festival, or similar gathering shall be liable, except as provided in sections 537.600 to 537.650, for an injury or death of any person attending the event, and no person attending the event shall make any claim against, or recover from, any such county, city or village for injury, loss, damage, or death of the person attending the event.

2. Each county, city or village governed by this sections hall post and maintain signs which contain the warning notice specified in this section. The signs shall be placed in a clearly visible location at major entrances to the event and throughout the event location as determined by the governing authority of the county, city or

village. The signs described in this section shall be in black letters on a white background with each letter to be a minimum of one inch in height and contain substantially the following warning notice:

WARNING

Under Missouri Law, (enter county, city or village name) is not liable for an injury to or the death of any person resulting from the inherent risks of participating in or observing any activities at this event pursuant to the Revised Statutes of Missouri."

On motion of Representative Whorton, **House Amendment No. 5** was adopted.

Representative Roark offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 50.339, Line 13, by inserting immediately at the end of said line the following:

"91.082. Any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants may supply utility service from utility plants owned by the city to persons or private corporations for use beyond the corporate limits of the city, but such service shall be supplied in a nondiscriminatory manner and at the same rates that the city charges its inhabitants to supply the utility service."; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Roark moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative McKenna offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 50.339, Line 13, by inserting after all of said line the following:

"67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law but only in the areas of traffic violations, solid waste management and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. In any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, RSMo, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140, RSMo, shall be synonymous with the term order for purposes of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative McKenna, **House Amendment No. 7** was adopted.

Representative Brown offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 138.011, Line 2, by inserting after "**government**" the following:

"or in any county of the first classification".

Representative Brown moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Walker offered **House Amendment No. 9**.

Representative Dempsey raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Bringer offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 138.011, Line 1, by inserting before said line the following:

"Section A. Section 50.515, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 50.515, to read as follows:

50.515. The governing body of any county may, by order of such governing body, impose an administrative service fee on the county park fund or the county road and bridge fund, or any specific purpose capital improvements fund, authorized pursuant to the provisions of section 67.547, 67.550 or 67.700, RSMo. Such administrative service fee shall only be imposed to recoup expenditures made from the county general revenue fund to provide administrative services to the county park fund or the county road and bridge fund, or any specific purpose capital improvements fund authorized pursuant to section 67.547, 67.550 or 67.700, RSMo, including, but limited to, accounting, bookkeeping, legal services, auditing, investment control, fiscal management, and revenue collection. Any administrative service fee imposed under this section shall be imposed at a rate which will only generate revenue sufficient to recoup actual expenditures made from the general revenue fund of the county to provide administrative services to the fund against which such service fee is imposed, including both direct and indirect expenditures as determined by an independent audit; provided, that no administrative service fee shall exceed three percent of the total budget of the fund on which such fee is imposed, **except in any county of the third classification, in which no administrative service fee shall exceed five percent of the total budget of the fund on which such fee is imposed.**".

On motion of Representative Bringer, **House Amendment No. 10** was adopted.

Representative Smith (118) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 138.011, Line 6, by inserting after all of said line the following:

"251.160. 1. For the purpose of sections 251.010 to 251.440, the following terms mean:

- (1) "Director", the director of the department of economic development;
- (2) "Governing body", the board, body or persons in which the powers of a local unit are vested;
- (3) "Local governmental units" or "local units" includes cities, villages, towns, **unincorporated areas of counties adopting a plan**, and counties;
- (4) "Population", the population of a local unit as shown by the last federal census or by any subsequent population estimate certified as acceptable by the director;
- (5) "State office", the department of economic development;
- (6) "Transportation planning boundary", the portion of the boundary of a metropolitan planning organization which is located in Missouri, as established pursuant to 23 U.S.C., section 134, which defines the area in which a metropolitan planning organization has responsibility for transportation planning.

2. A regional planning commission may be created by the governor upon petition in the form of a resolution by the governing body of a local governmental unit and the holding of a public hearing on such petition. If the petition shall be joined in by the governing bodies of all the local units in the proposed region, including the county commission of any county, part or all of which is in the proposed region, the governor may dispense with the hearing. Notice of any public hearing shall be given by the governor by mail at least ten days in advance to the clerk of each local unit in the proposed region. If the governor finds that there is a need for a regional planning commission, and if the governing bodies of local units within the proposed region which include over fifty percent of the population as determined by the last decennial census of the United States shall consent to the formation of such regional planning commission, the governor may create the regional planning commission by order and designate the area and boundaries of the commission's jurisdiction, taking into account the elements of homogeneity based upon, but not limited to, such consideration as topographic and geographic conformations, extent of urban development, the existence of special or acute agricultural, forestry, conservation or other rural problems, uniformity of social or economic interests and values, park and recreational needs, civil defense, or the existence of physical, social and economic problems of a regional character.

3. Notwithstanding the provisions of section 64.530, RSMo, the creation of a regional planning commission and a local unit's participation in and adoption of plans prepared by the regional planning commission shall not require a referendum; except that, this provision shall not extend to the adoption of county zoning laws or regulations under sections 64.620 to 64.690, RSMo.

4. No provision of sections 251.010 to 251.440 shall be construed to impair or affect in any way the legal existence, powers, or functions of any planning commission or other organization, public or private, in such areas which heretofore has been constituted or designated by resolutions approved by the governing bodies of the local units containing the majority of the population of such area for the purpose of conducting comprehensive planning, including transportation planning under or in conformity with the requirements of any statute of the United States or any regulation issued thereunder; and any such previously constituted planning commission or organization shall be governed in all respects by the resolutions of the governing bodies of the local units which constitute such planning commissions or organizations, by the provisions of this section, or by other applicable law.

5. A regional planning commission within a metropolitan statistical area of more than five hundred thousand in population, which area does not contain a city not within a county, and which commission is acting as a metropolitan planning organization pursuant to state and federal law, may only change its transportation planning boundary with the concurrence of the governor.

251.170. 1. The office of administration is hereby designated as the official state planning agency for the purpose of providing planning assistance to counties, **unincorporated areas within counties**, municipalities, metropolitan planning areas, and regional planning commissions herein created when requested by such local governmental unit or planning commission to do so, and for such purposes is authorized to:

(1) Contract with public agencies or private persons or organizations for any purposes of sections 251.010 to 251.440;

(2) Delegate any of its functions to any other state agency authorized to perform such functions, except that responsibility for such functions shall remain solely with the state office;

(3) Require or receive reimbursement from any political subdivision or subdivisions or regional planning commissions for the actual cost of planning assistance or planning work, when such assistance or planning has been requested by the political subdivision or commission; except that, no reimbursement shall be required or received for such costs to the extent that such costs are covered by federal grants;

(4) Provide technical assistance to local governments that request it for the development of local planning ordinances and regulations;

(5) Encourage local governments to engage in planning, regulatory, and development approaches that promote and encourage comprehensive planning;

(6) Prepare and distribute model ordinances, manuals, and other technical publications that promote and encourage comprehensive planning. The office of administration shall make all possible use of existing model ordinances, manuals, and other technical publications that promote and encourage comprehensive planning and that were prepared by regional planning commissions, local government entities, and other organizations;

(7) Research and report upon the results and impact of activities funded by the grants or other financial assistance;

(8) Support local planning efforts in communities with limited financial means;

(9) Support planning efforts that include one or more units of local government or planning agencies working together;

(10) Make grants to units of local government to develop, update, administer, and implement plans, land development regulations, development incentives, market feasibility studies, and environmental assessments that promote and encourage the principles of comprehensive planning.

2. From all regional planning commissions to which it provides planning assistance pursuant to this section, the office of administration shall gather information to identify expenditures of such commissions which are or would be eligible to be used to generate matching funds under block grant programs, including but not limited to community development block grant programs. The office of administration shall report any such expenditures which are so eligible to the department of economic development within thirty days of determining that such expenditures are so eligible. The department of economic development shall provide the office of administration with information deemed necessary by the commissioner of administration to implement the provisions of this subsection. For any fiscal year in which a regional planning commission which receives planning assistance from the office of administration does not provide the office of administration with information necessary to implement the provisions of this subsection, the office of administration shall not distribute general revenue funds to that regional planning commission in the following fiscal year. Any regional planning authority shall have thirty days to cure any alleged defect prior to the withholding of any funds.

3. The office of administration may promulgate rules establishing standards and procedures for determining eligibility for the grants, regulating the use of funds under the grants, and requiring periodic reporting of the results and impact of activities funded by the grants. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

4. No individual grant disbursed after August 28, 2004, under the state and regional planning and community development act shall have a duration of more than twenty-four months. The office of administration, in the determination of grantees, may also seek an even balance of grants within metropolitan regions.

5. In any county, unincorporated area within a county, or municipality receiving assistance under the state and regional planning and community development act to write or revise a plan, any land-use arrangements for residential, commercial, industrial, public, or other purposes made within five years after such plan is adopted shall be consistent with the new or revised plan.

251.180. Comprehensive planning, state and regional, shall include, but not be limited to, the planning for the following:

(1) Public water systems;

(2) Storm water drainage and flood control systems;

(3) Sanitary sewerage systems;

(4) Integrated transportation systems;

(5) Orderly land-use arrangements for residential, commercial, industrial and public and other purposes;

(6) Local, area-wide and state governmental services coordinated with federal governmental services insofar as may be feasible;

(7) Solid waste disposal systems or facilities;

(8) Educational facilities;

(9) Open space, park and recreational areas;

(10) Improved standards of community aesthetics and facilities design;

(11) General living conditions and environmental health;

(12) Community health and hospital needs and related facilities; [and]

(13) The coordination of planning activities for all federal assistance and grant-in-aid programs, which require comprehensive planning as prerequisites for eligibility;

(14) Natural resources;

(15) Community goals and standards;

(16) Police and fire facilities;

(17) Housing;

(18) Telecommunications infrastructure;

(19) Economic development;

(20) Public participation in the community;

(21) Natural hazards;

(22) Agriculture and forest preservation;

(23) Human services;

(24) Community design; and

(25) Historic preservation.

251.190. The state office shall have the following functions and powers:

(1) To provide general planning assistance to and for any county, municipality, or regional planning commission when requested by such local governmental unit or planning commission to do so;

(2) To contract for, receive and utilize grants or other financial assistance made available by the state or federal government or from any other source, public or private, for performing the functions of the state office. Nothing in this section shall prevent or impair the powers of the regional commissions or other state agencies or local governmental units to contract for, receive or utilize grants directly from the federal or local governments or from any other source, public or private;

(3) To provide assistance and coordination upon request in matters relating to planning to state agencies and to local and regional planning units. All present governmental units who engage in planning activities, including but not limited to state agencies, other than the planning activities of the division of commerce and industrial development, which are transferred to the state office created herein, planning agencies or commissions of local governmental units who are supported by local, state or federal funds, shall in no way be affected, prevented or impaired in such planning activities;

(4) To develop a comprehensive state plan;

(5) To employ or retain private not-for-profit entities, regional planning commissions, local government entities, and universities to advise, prepare, or conduct the preparation of the model ordinances, manuals, and other technical publications;

(6) To distribute any model ordinances, manuals, and other technical publications prepared under the state and regional planning and community development act to all counties and municipalities, regional planning commissions, the Missouri state library, all public libraries in this state, and to other organizations and libraries at the office of administration's discretion;

(7) To perform such other functions and activities consistent with the general purposes of sections 251.150 to 251.440."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 11** was adopted.

Representative Skaggs offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Section 304.010, Page 6, Line 96, by inserting the following after all of said line:

“ 479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit. [Notwithstanding the foregoing provisions of this subsection, in any city with a population of over four hundred thousand with full-time municipal judges who are subject to a plan of merit selection and retention, such municipal judges and court personnel of the municipal divisions shall not be subject to court management and case docketing in the municipal divisions by the presiding judge or the rules of the circuit court of which the municipal divisions are a part.]

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's seventy-fifth birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.”; and

Further amend said substitute by amending the title, enacting clause, and intersectional references accordingly.

Representative Johnson (47) raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Skaggs, **House Amendment No. 12** was adopted.

Representative Rector offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“49.272. The county commission of any county of the first classification without a charter form of government and with more than one hundred thirty-five thousand four hundred but less than one hundred thirty-five thousand five hundred inhabitants, **and in any county of the first classification without a charter form of government having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants**, which has an appointed county counselor and which adopts or has adopted rules, regulations or ordinances under authority of a statute which prescribes or authorizes a violation of such rules, regulations or ordinances to be a misdemeanor punishable as provided by law, may by rule, regulation or ordinance impose a civil fine not to exceed one thousand dollars for each violation. Any fines imposed and collected under such rules, regulations or ordinances shall be payable to the county general fund to be used to pay for the cost of enforcement of such rules, regulations or ordinances.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rector, **House Amendment No. 13** was adopted.

On motion of Representative Johnson (47), **HCS HBs 795, 972, 1128 & 1161, as amended**, was adopted.

On motion of Representative Johnson (47), **HCS HBs 795, 972, 1128 & 1161, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Madam Speaker: Your Committee on Children and Families, to which was referred **HB 1453**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **HB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Education, to which was referred **HB 941**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Elections, Chairman May reporting:

Madam Speaker: Your Committee on Elections, to which was referred **HB 1494**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1454**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Senior Security, Chairman Portwood reporting:

Madam Speaker: Your Committee on Senior Security, to which was referred **HB 1302**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1167**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR (March 16, 2004)

HOUSE BILLS FOR PERFECTION

- 1 HB 773 - Icet
- 2 HCS HB 941 - Cunningham (86)
- 3 HB 1167 - Kelly (144)
- 4 HB 1302 - Lager
- 5 HCS HB 1453 - Hanaway
- 6 HB 1494 - Ervin

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 900**, entitled:

An act to repeal sections 307.366 and 643.315, RSMo, and to enact in lieu thereof two new sections relating to vehicle equipment regulations.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 945**, entitled:

An act to amend chapter 170, RSMo, by adding thereto one new section relating to student volunteer opportunities.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 962**, entitled:

An act to repeal sections 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, and 334.717, RSMo, and to enact in lieu thereof eight new sections relating to licensing of athletic trainers.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 992**, entitled:

An act to repeal section 578.154, RSMo, and to enact in lieu thereof one new section relating to the possession and transportation of anhydrous ammonia, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1007**, entitled:

An act to amend chapter 26, RSMo, by adding thereto one new section relating to gubernatorial appointments.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1044**, entitled:

An act to repeal sections 37.310, 37.320, 37.360, 181.021, 181.100, 181.110, 181.120, and 181.130, RSMo, and to enact in lieu thereof eight new sections relating to the state library.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1087**, entitled:

An act to repeal section 162.700, RSMo, and to enact in lieu thereof one new section relating to the placement of certain special education pupils.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1177**, entitled:

An act to repeal sections 393.705, 393.710, 393.715, 393.720, 393.725, 393.730, 393.740, 393.745, 393.760, and 393.770, RSMo, and to enact in lieu thereof ten new sections relating to joint municipal utility commissions.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

March 16, 2004

Mr. Stephen Davis
Chief Clerk
Missouri House of Representatives
State Capitol - Room 306C

Dear Mr. Davis:

Pursuant to Chapters 105.452 to 105.461 RSMo., this letter is an official report that I have invested in agriculture value-added cooperative in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits or loan guarantees. I would not have more than a ten percent interest in the proposed value-added venture.

In order for me to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Merrill Townley
State Representative
District 112

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, March 17, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Ron Richard, District 129, hereby state and affirm that my vote as recorded on Page 636 of the House Journal for Monday, March 15, 2004, showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of March 2004.

/s/ Ron Richard
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 16th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Wednesday, March 17, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills that may be assigned or referred to committee for fiscal review. AMENDED

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006,
HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, March 18, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills that may be assigned or referred to committee for fiscal review. AMENDED

Public hearings to be held on: HB 1325, HB 1002, HB 1003, HB 1004, HB 1005,
HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 17, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1455, HB 1472, HB 1567

EDUCATION

Wednesday, March 17, 2004, 8:30 a.m. Hearing Room 6.

Executive session.

Public hearings to be held on: SB 1080, HB 1191

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 17, 2004, 12:00 p.m. Hearing Room 6.

Executive session may be held.

Public hearing to be held on: HB 1474

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General,
MoDOT cleanup legislation, One Stop Shop.

JUDICIARY

Wednesday, March 17, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 1617, HCR 13, HB 1143, HB 1148, HB 1269, SCS SB 1100

Executive session will be held on: HB 1511, HB 1065, HB 1213, HB 1617, HB 1336, SCS SB 1100

LOCAL GOVERNMENT

Thursday, March 18, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1199, HB 1292, HB 1446, SS SB 732, SCS SB 1062

SMALL BUSINESS

Wednesday, March 17, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 891, HB 1581

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 17, 2004, 12:00 p.m. Hearing Room 7.

Senate bills will be heard first.

Public hearings to be held on: HB 857, HJR 31, HB 1583, SCS SB 767, SB 770, SCS SB 1006

HOUSE CALENDAR

FORTIETH DAY, WEDNESDAY, MARCH 17, 2004

HOUSE BILLS FOR SECOND READING

HB 1675 through HB 1677

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 978 - Baker (123)
- 3 HCS HB 1380 - Lager (4)
- 4 HCS HB 1278, as amended, HA 2, pending - Luetkemeyer (115)
- 5 HCS HB 1150 - May (149)
- 6 HB 1092 - Deeken (114)
- 7 HCS HB 1207 - Icet (84)
- 8 HCS HB 1566 - Stefanick (93)
- 9 HCS HB 774 - Sander (22)

- 10 HCS HB 843, 880 & 1042 - Angst (146)
- 11 HCS HB 1099 - Reinhart (34)
- 12 HCS HB 1152 - Wilson (130)
- 13 HB 1193 - Self (116)
- 14 HB 1424 - Stefanick (93)
- 15 HB 1616 - Hanaway (87)
- 16 HB 1487 - Self (116)
- 17 HB 773 - Icet (84)
- 18 HCS HB 941 - Cunningham (86)
- 19 HB 1167 - Kelly (144)
- 20 HB 1302 - Lager (4)
- 21 HCS HB 1453 - Hanaway (87)
- 22 HB 1494 - Ervin (35)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/04)

- 1 HCS HB 985 - Wood (62)
- 2 HB 996 - Dusenberg (54)
- 3 HCS HB 1136 - Rupp (13)
- 4 HB 1187 - Ervin (35)
- 5 HB 1188 - Lipke (157)
- 6 HCS HB 1288 - Threlkeld (109)
- 7 HCS HB 1179 - Corcoran (77)
- 8 HCS HB 1347 - Jetton (156)
- 9 HCS HB 1456 - Black (161)

(3/11/04)

- 1 HCS HB 798 - Shoemaker (8)
- 2 HB 822 - Luetkemeyer (115)
- 3 HCS HB 1246 - Portwood (92)
- 4 HCS HB 1422 - Stefanick (93)
- 5 HB 1427 - Portwood (92)
- 6 HB 1364 - Bishop (38)
- 7 HB 1572 - St. Onge (88)
- 8 HB 1622 - Wasson (141)

(3/15/04)

- 1 HCS HB 928 - Bivins (97)
- 2 HB 970 - Portwood (92)
- 3 HCS HB 1123 - Smith (14)
- 4 HCS HB 1201 - Dusenberg (54)

- 5 HCS HB 1280 - Kingery (154)
- 6 HCS HB 1284 - Engler (106)
- 7 HB 1438 - Ward (107)
- 8 HB 1442 - Lipke (157)
- 9 HCS HB 1449 - Bruns (113)
- 10 HB 1489 - Barnitz (150)
- 11 HB 1508 - Baker (123)
- 12 HB 1575 - Mayer (159)
- 13 HB 1493 - Emery (126)
- 14 HB 1407 - Mayer (159)
- 15 HB 1362, HCA 1 - Hobbs (21)
- 16 HB 1377 - Sutherland (99)
- 17 HCS HB 1321 - Schaaf (28)
- 18 HB 1608 - Dougherty (53)
- 19 HB 1635 - Salva (51)
- 20 HB 1612 - Bringer (6)
- 21 HB 1634 - Behnen (2)
- 22 HCS HB 1524 - Ransdall (148)
- 23 HCS HB 1614 - Holand (135)
- 24 HB 1604 - Bean, Jr. (163)
- 25 HB 1610 - Ward (107)
- 26 HB 1613 - Morris (138)

(3/16/04)

- 1 HB 1048 - Parker (12)
- 2 HCS HB 1069 - Bivins (97)
- 3 HCS HB 1090 - Bishop (38)
- 4 HB 1217 - Johnson (47)
- 5 HCS HB 1233 - Dixon (140)
- 6 HCS HB 1253 - Luetkemeyer (115)
- 7 HCS HB 1405 - Dougherty (53)
- 8 HB 1440 - Deeken (114)
- 9 HB 1444 - Moore (20)
- 10 HB 1445 - Mayer (159)
- 11 HB 1502 - Wilson (42)
- 12 HCS HB 1529 & 1655 - Lembke (85)
- 13 HB 1603 - Lager (4)
- 14 HCS HB 1631 & 1623 - Dixon (140)
- 15 HCS HB 1660 - Lager (4)

(3/17/04)

- 1 HB 1454 - Swinger (162)
- 2 HB 1462 - Bean (163)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 12, (3-11-04, Page 622) - Kelly (36)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 855 - Holand (135)
- 2 HCS HB 1055 - Bruns (113)
- 3 HCS HB 1041, E.C. - Cunningham (86)
- 4 HCS HB 1074 & 1129 - Byrd (94)
- 5 HCS HB 1098 & 949 - Goodman (132)
- 6 HB 1504, E.C. - Lipke (157)
- 7 HB 869 - Townley (112)
- 8 HCS HB 988 - Yates (56)
- 9 HCS HB 1277, E.C. - Townley (112)
- 10 HCS HB 795, 972, 1128 & 1161 - Johnson (47)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1317 - Kingery (154)
- 2 HCS HB 883 - Graham (24)
- 3 HB 884 - Ward (107)
- 4 HB 1029, HCA 1 - Henke (11)
- 5 HB 1114 - Skaggs (31)
- 6 HB 1142, HCA 1 - Daus (67)
- 7 HB 1223 - Ward (107)
- 8 HCS HB 1471 - Brooks (37)

SENATE BILLS FOR SECOND READING

- 1 SB 900
- 2 SCS SB 945
- 3 SCS SB 962
- 4 SCS SB 992
- 5 SB 1007
- 6 SCS SB 1044
- 7 SB 1087
- 8 SCS SB 1177

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 730, (Budget 3-15-04) - Portwood (92)
- 2 HCS SB 739 - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTIETH DAY, WEDNESDAY, MARCH 17, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, “*Like apples of gold in settings of silver is a word spoken in right circumstances.*” Help us to express our thoughts well so that the words spoken in this place help shape the future of our state and set a standard for the entire nation.

Thank You for Your willingness to lavish life’s fullness on us, over us and around us. Now show us the path, this day, where we should walk, O LORD; point out the right road for us to follow.

May our spoken words and unspoken thoughts be pleasing in Your sight.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andrew Pelikan, Michael Lee, Taylor Neal, Brittany Parks, Lauren Stecz, Kaylinn Baker, Grant Baker, Juyoung Kim, Zhenya Gabriel Townley, Alisa Beth Townley, Andrei Christian Townley, Caleb Moses Townley, Taron Luetjen, Aaron Porter, Christine Porter, Jessie Friedrich, Sarah Holland, Bailey Warner, Sam Cooper, Sue Bohnert, Sabrina Bryant and Ali Roth.

The Journal of the thirty-ninth day was approved as corrected by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Decken	Dempsey	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61

Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Swinger	Taylor	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

Sager Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brooks	Dougherty	Marsh	McKenna
Reinhart	Sutherland	Thompson	Wagner	

SPECIAL RECOGNITION

Bill Jackson was introduced by Representatives Seigfreid and Jackson and recognized as an Outstanding Missourian.

The Lady Bulldogs Softball Team of New Franklin, Missouri, was introduced by Representative Shoemyer and recognized for accomplishing the 2003 State Championship title.

Representative Self assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 1150 - Representative Cooper (155)
- House Resolution No. 1151 - Representative Bringer
- House Resolution No. 1152 - Representative Wilson (119)
- House Resolution No. 1153 - Representative Wright
- House Resolution No. 1154 - Representatives Selby and Jackson

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1678, introduced by Representative St. Onge, relating to employment security.

HB 1679, introduced by Representatives Sager, Corcoran and Muckler, relating to public holidays.

SECOND READING OF HOUSE BILLS

HB 1675 through **HB 1677** were read the second time.

SECOND READING OF SENATE BILLS

SB 900, **SCS SB 945**, **SCS SB 962**, **SCS SB 992**, **SB 1007**, **SCS SB 1044**, **SB 1087** and **SCS SB 1177** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1566, relating to medical assistance benefits, was taken up by Representative Stefanick.

Representative Stefanick offered **HS HCS HB 1566**.

Representative Stefanick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Page 11, Section 208.147, Lines 11 and 12, by deleting the phrase “**section 208.153**” on said lines and inserting in lieu thereof the following:

“**Subsection 3 of Section 208.152, RSMo**”; and

Further amend said bill, Page 11, Section 208.147, Line 15, by inserting before the word “**sections**” on said line the following:

“**subdivision 9 of subsection 1 of section 208.152, RSMo, and**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stefanick, **House Amendment No. 1** was adopted.

Representative Hobbs offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Section 208.636, Page 43, Line 19, by deleting the word “**one**” on said line and inserting in lieu thereof the following: “**five**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Stevenson offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Section 208.636, Page 43, Line 19, by deleting the word “**one**” on said line and inserting in lieu thereof the following: “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Portwood offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Substitute for House Committee Substitute for House Bill No. 1566, Line 4 of the amendment, by deleting the word “**ten**” and inserting in lieu thereof the word “**twenty-five**”.

Representative Smith (118) assumed the Chair.

Representative Self resumed the Chair.

House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Stevenson offered **House Substitute Amendment No. 2 for House Amendment No. 2.**

*House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Section 208.636, Page 43, Lines 19 through 22, by deleting all of said lines and inserting in lieu thereof the following:

“resources which exceed ten thousand dollars. The following assets shall be excluded:”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Portwood offered **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 2.**

*House Amendment No. 1
to
House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Substitute Amendment No. 2 for House Amendment No. 2 to House Substitute for House Committee Substitute for House Bill No. 1566, Page 1, Line 5, by deleting the word “**ten**” on said line and inserting in lieu thereof the word “**twenty-five**”.

HCS HB 1566, with House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 2, House Substitute Amendment No. 2 for House Amendment No. 2, House Amendment No. 2, and HS, as amended, pending, was laid over.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SB 730** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Grace Noble, Ashley Tate, Makenah Marshall, Alicia Reece and Logan Ford.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1155 - Representative Bringer
House Resolution No. 1156 - Representative Walsh, et al
House Resolution No. 1157 - Representative Munzlinger
House Resolution No. 1158 - Representative Wilson (119)
House Resolution No. 1159
through
House Resolution No. 1172 - Representative Bivins
House Resolution No. 1173 - Representative Jetton

House Resolution No. 1174
through
House Resolution No. 1187 - Representative Lembke
House Resolution No. 1188 - Representative Kratky
House Resolution No. 1189 - Representatives Wallace and Bough
House Resolution No. 1190
through
House Resolution No. 1192 - Representative Smith (118)
House Resolution No. 1193 - Representative Skaggs
House Resolution No. 1194
through
House Resolution No. 1207 - Representatives Bivins and Schoemehl
House Resolution No. 1208
through
House Resolution No. 1221 - Representatives Bivins and Lembke
House Resolution No. 1222 - Representatives Jackson and Selby
House Resolution No. 1223 - Representative Hanaway
House Resolution No. 1224 - Representative Behnen

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1680, introduced by Representatives Sutherland and Cooper (120), relating to depreciation of tangible personal property.

HB 1681, introduced by Representatives Morris, Threlkeld, Roark, Schlottach, Brown, Sander and Munzlinger, relating to legal representation of public school teachers.

HB 1682, introduced by Representatives Morris, Roark, Schlottach, Brown, Sander and Munzlinger, relating to legal representation of school districts.

HB 1683, introduced by Representatives Morris, Threlkeld, Roark, Schlottach, Brown, Sander, Munzlinger, Ervin and Dethrow, relating to sovereign immunity for public school teachers.

HB 1684, introduced by Representatives Lawson, Wildberger, Page, Abel, Ward, Salva, Villa, Daus, Whorton, Byrd, Myers, Harris (23), Johnson (90), Muckler, Davis (122), Selby, Hoskins, Fraser, Dougherty, Portwood, Seigfreid, Lowe, Meiners, Bringer, Graham, Carnahan, Hilgemann, Jolly, Donnelly, Curls, Wilson (42), Liese, Holand, Schaaf, Townley, Crawford, Jetton, Skaggs, Black, Taylor, Vogt, Corcoran, Harris (110), Ransdall, Schneider, Miller, Moore, Green and Mayer, relating to tax credits for qualified net metering units and renewable energy equipment.

HB 1685, introduced by Representatives Carnahan and Wasson, relating to absentee voting.

THIRD READING OF SENATE BILL

HCS SS SCS SB 730, relating to the Homestead Preservation Act, was taken up by Representative Portwood.

Representative Portwood offered **HS HCS SS SCS SB 730**.

Representative Dempsey assumed the Chair.

Representative Lembke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, Page 3, Section 137.106, Line 11 of said page, by inserting after the words “**one hundred**” the word “**twenty-five**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Goodman offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, Page 3, Section 137.106, Line 11 of said page, by inserting after the words “**one hundred**” the word “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Portwood offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, Page 3, Section 137.106, Line 11, by deleting the words “**one hundred**” and inserting in lieu thereof the word “**ninety-five**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Jetton resumed the Chair.

On motion of Representative Portwood, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Goodman, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

Representative Portwood offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, Page 3, Section 137.106, Line 19, by inserting after the word “**subdivision**” the words

“**if and only if the decrease in revenue is a direct result of claims paid under the homestead exemption credit**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 2** was adopted.

Representative Smith (118) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, Page 7, Section 137.106, Line 9 of said page, by inserting after the word “**county**.” the following:

“**In any county of the third classification with a township form of government, the remaining one-quarter of one percent shall be distributed to the county general revenue fund.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 3** was adopted.

Representative Smith (14) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, Page 1, Section A, Line 9, by inserting after said line the following:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant

has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then [he] **the director** shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less [two] **four** thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year.

135.030. 1. As used in this section:

(1) The term "maximum upper limit" shall, in the calendar year 1989, be the sum of thirteen thousand five hundred dollars. For each calendar year through December 31, 1992, the maximum upper limit shall be increased by five hundred dollars per year. For calendar years after December 31, 1992, and prior to calendar year 1998, the maximum upper limit shall be the sum used on December 31, 1992. For each calendar year after December 31, 1997, **and before calendar year 2005**, the maximum upper limit shall be the sum of twenty-five thousand dollars. **For each calendar year beginning January 1, 2005, the maximum upper limit shall be increased, rounded to the nearest fifty dollar increment, by the same percentage as the increase in the general price level as measured by the Consumer Price Index for all Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, or its successor agency;**

(2) The term "minimum base" shall, in the calendar year 1989, be the sum of five thousand dollars. For each succeeding calendar year through December 31, 1992, the minimum base shall be increased, in one hundred-dollar increments, by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, or its successor agency, or five percent, whichever is greater. The increase in the index shall be that as first published by the Department of Labor for the calendar year immediately preceding the year in which the minimum base is calculated. For calendar years after December 31, 1992, and prior to calendar year 1998, the minimum base shall be the sum used on December 31, 1992. For each calendar year after December 31, 1997, **and before calendar year 2005**, the minimum base shall be the sum of thirteen thousand dollars. **For each calendar year beginning January 1, 2005, the minimum base shall be increased, rounded to the nearest fifty dollar increment, by the same percentage as the increase in the general price level as measured by the Consumer Price Index for all Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, or its successor agency.**

2. [When calculating the minimum base for purposes of this section, whenever the increase in the Consumer Price Index used in the calculation would result in a figure which is greater than one one-hundred-dollar increment but less than another one-hundred-dollar increment, the director of revenue shall always round that figure off to the next higher one-hundred-dollar increment when determining the table of credits under this section.

3.] If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:	The percent is:
Not over the minimum base	0 percent with credit not to exceed actual property tax or rent equivalent paid up to \$750
Over the minimum base but not over the maximum upper limit	1/16 percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

[4.] 3. Notwithstanding [the provision of] subsection 4 of section 32.057, RSMo, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of [his or her] **the claimant's** potential eligibility, where the department determines such potential eligibility exists."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (14) moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Muckler offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, Page 6, Section 137.106, Lines 13 and 14, by striking the following “**two and one-half of one**” and inserting in lieu thereof the following “**zero**”.

Representative Muckler moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 078

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Davis 122	Dempsey
Dougherty	Dusenberg	El-Amin	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	Lembke	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Pratt	Ransdall	Roark	Sager
Salva	Schneider	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Smith 14	Spreng	Stefanick
Swinger	Thompson	Threlkeld	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

NOES: 082

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Daus	Davis 19	Deeken
Dethrow	Dixon	Donnelly	Emery	Engler
Ervin	Fares	Fraser	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Purgason	Quinn	Rector	Richard
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Smith 118	St. Onge	Stevenson	Sutherland
Taylor	Townley	Viebrock	Wallace	Wasson
Whorton	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

ABSENT WITH LEAVE: 005

Avery

Graham

Reinhart

Shoemaker

Wilson 25

Representative Behnen declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 1566, with House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 2, House Substitute Amendment No. 2 for House Amendment No. 2, House Amendment No. 2, and HS, as amended, pending, relating to medical assistance benefits, was again taken up by Representative Stefanick.

Speaker Pro Tem Jetton resumed the Chair.

On motion of Representative Portwood, **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 2** was adopted.

On motion of Representative Stevenson, **House Substitute Amendment No. 2 for House Amendment No. 2, as amended,** was adopted.

Representative Schaaf offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Section 208.147, Page 12, Lines 7 through 23, by deleting all of said lines and inserting in lieu thereof the following:

“7. Providers shall make a reasonable effort to collect the copayments set forth in subsections 5 and 6 of this section from the recipient at the time the service is provided. Any full or partial copayment made by the recipient shall be entered on the provider’s submitted claim and deducted by the division of medical services from the usual payment to the provider. The payment made by the division of medical services to the provider shall not be decreased by the recipient’s failure to pay the copayment.”; and

Further amend said bill, Section 208.147, Page 12, Line 24, by deleting the number “9.” on said line and inserting in lieu thereof the number “8.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 3** was adopted by the following vote:

AYES: 159

Abel

Bearden

Bland

Brown

Carnahan

Crowell

Angst

Behnen

Bough

Bruns

Cooper 120

Cunningham 145

Baker

Bishop

Boykins

Burnett

Cooper 155

Cunningham 86

Barnitz

Bivins

Bringer

Byrd

Corcoran

Curly

Bean

Black

Brooks

Campbell

Crawford

Darrough

Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	George	McKenna	Reinhart
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Representative Holand offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Section 208.147, Page 11, Line 16, by inserting after the number “**208.657**” on said line the following:

“, **RSMo. The provisions of this subsection shall not apply to home health or in-home services.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Holand, **House Amendment No. 4** was adopted.

Representative Swinger offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Page 29, Section 208.152, Line 19, by inserting after the word “dentist,” on said line the following:

“**optometrist,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Swinger moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Johnson (90) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1566, Section 208.152, Page 40, Line 5, by inserting the following after the word “**section**”:

“, including subdivision (5), relating to certain nursing home costs, subdivision (7) relating to dental services, subdivision (8) relating to podiatrist services, subdivision (9) relating to drugs and medicines, subdivision (10) relating to emergency ambulance services, subdivision (13) relating to optometric services, subdivision (15) relating to orthopedic devices and prosthetics, subdivision (16) relating to inpatient psychiatric hospital services for individuals under age twenty-one, subdivision (17) relating to outpatient surgical procedures, subdivision (18) relating to personal care services, subdivision (19) relating to mental health services, subdivision (20) relating to comprehensive day rehabilitation services, subdivision (21) relating to hospice care, subdivision (22) relating to services furnished under waivers, and subdivision (25) relating to certain nursing home costs,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Zweifel offered **House Amendment No. 1 to House Amendment No. 6**.

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Substitute for House Committee Substitute for House Bill No. 1566, Page 1, Lines 13 and 14, by deleting the words “subdivision (19), relating to mental health services”.

Representative Zweifel moved that **House Amendment No. 1 to House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Emery	Fraser
George	Graham	Green	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	Mayer	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa

Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

NOES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Jackson	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Ice	Reinhart
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Representative Jolly offered **House Amendment No. 2 to House Amendment No. 6.**

House Amendment No. 2
for
House Amendment No. 6

AMEND House Amendment No. 6 to House Substitute for House Committee Substitute for House Bill No. 1566, Page 1, Lines 7 and 8, by deleting the words “**subdivision (10), relating to emergency ambulance services**”.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips

Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 003

Avery	Reinhart	Smith 14
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Representative Jolly moved that **House Amendment No. 2 to House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

NOES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Reinhart	Smith 118
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Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Pratt	Purgason	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan

Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Portwood	Reinhart	Seigfreid	Smith 118
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Representative Johnson (90) moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Engler	Fraser
George	Graham	Green	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	Mayer	McKenna
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

NOES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Richard	Roark	Ruestman

Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Reinhart

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 073

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Reinhart

On motion of Representative Stefanick, **HS HCS HB 1566, as amended**, was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Threlkeld	Townley	Viebrock	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery Hampton Reinhart Taylor Wallace

On motion of Representative Stefanick, **HS HCS HB 1566, as amended**, was ordered perfected and printed by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 068

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Avery	Carnahan	El-Amin	Reinhart
Thompson	Wildberger			

Representative Johnson (90) requested a verification of the roll call on the motion to perfect and print **HS HCS HB 1566, as amended**.

Representative Bearden assumed the Chair.

HB 1193, relating to notaries public, was taken up by Representative Self.

Representative Self offered **HS HB 1193**.

Representative Witte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1193, Section 486.285, Page 7, Line 1, by inserting after “**state**,” the following:

“**provided that the notary public has been issued a commission number by the secretary of state**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 1** was adopted.

On motion of Representative Self, **HS HB 1193, as amended**, was adopted.

On motion of Representative Self, **HS HB 1193, as amended**, was ordered perfected and printed.

HCS HB 1152, relating to terrorism, was taken up by Representative Wilson (130).

Representative Ruestman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1152, Page 2, Section 574.117, Line 16, by inserting after the word, “**means**,”

“**or any explosive or incendiary device as defined pursuant to section 574.070, RSMo**,”; and

Further amend said bill, said page, Section 574.119, Line 4, by deleting the word, “**designed**” and inserting in lieu thereof, the words, “**with the intent**”; and

Further amend said bill, Page 3, Section 574.119, Line 19, by deleting the words, “**or used in**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruestman, **House Amendment No. 1** was adopted.

Representative Guest offered **House Amendment No. 2**.

Representative Stevenson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Bearden requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Seigfreid offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1152, Page 2, Section 574.117, Line 18, by deleting the following: “C felony for a first offense and a class B felony for a second or subsequent offense”;

and inserting in lieu thereof “**A felony**”.

Representative Seigfreid moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Wright assumed the Chair.

Representative Seigfreid offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1152, Page 2, Section 574.117, Line 18, by adding after said line the following:

“5. Threatening the use of a weapon of mass destruction when the weapon of mass destruction is found and can be used as evidence it shall be a class A felony.”.

Representative Seigfreid moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Wilson (130), **HCS HB 1152, as amended**, was adopted.

On motion of Representative Wilson (130), **HCS HB 1152, as amended**, was ordered perfected and printed.

HB 1167, relating to a special license plate, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **HB 1167** was ordered perfected and printed.

HB 1487, relating to kidnapping a child, was taken up by Representative Self.

Representative Self offered **HS HB 1487**.

Speaker Hanaway resumed the Chair.

Representative Willoughby offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1487, Page 2, Section 565.115, Line 8, by inserting immediately after the word “relative”, the phrase “of the child”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Willoughby, **House Amendment No. 1** was adopted.

On motion of Representative Self, **HS HB 1487, as amended**, was adopted.

On motion of Representative Self, **HS HB 1487, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 12, relating to Miss Missouri, was taken up by Representative Kelly (36).

On motion of Representative Kelly (36), **HCR 12** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25

Wilson 42
Yates

Witte
Young

Wood
Zweifel

Wright
Madam Speaker

Yaeger

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery

Lawson

Reinhart

Smith 118

Speaker Hanaway declared the bill passed.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1014**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2004.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1014, Page 7, Section 14.150, by inserting immediately after said section the following new section:

“Section 14.155. To the Department of Corrections

For the purpose of funding the expense of fuel and utilities department wide

Expense and Equipment

From General Revenue Fund \$51,246”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 730, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1014, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HCS HB 1014, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SB 730, as amended, relating to the Homestead Preservation Act, was taken up by Representative Portwood.

Representative Portwood moved that the House refuse to recede from its position on **HS HCS SS SCS SB 730, as amended**, and grant the Senate a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 941, relating to lapse of school districts, was taken up by Representative Davis (122).

On motion of Representative Davis (122), **HCS HB 941** was adopted.

On motion of Representative Davis (122), **HCS HB 941** was ordered perfected and printed.

HB 1494, relating to regional recreational districts, was taken up by Representative Ervin.

On motion of Representative Ervin, **HB 1494** was ordered perfected and printed.

Representative Wright resumed the Chair.

HCS HB 1453, relating to foster care, was taken up by Representative Hanaway.

HCS HB 1453 was laid over.

SUPPLEMENTAL CALENDAR

(March 17, 2004)

HOUSE BILL FOR THIRD READING

HS HCS HB 1566 - Stefanick

THIRD READING OF HOUSE BILL

HS HCS HB 1566, relating to medical assistance benefits, was taken up by Representative Stefanick.

Representative Walker raised a point of order that pursuant to House Rule No. 46, **HS HCS HB 1566** is not in order.

Representative Wright requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Hanaway resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Lawson	Reinhart
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On motion of Representative Stefanick, **HS HCS HB 1566** was read the third time and passed by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Lawson	Reinhart
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Representative Johnson (90) requested a verification of the roll call on the motion to third read and pass **HS HCS HB 1566**.

THIRD READING OF SENATE BILL

HCS SB 739, relating to environmental rules, was taken up by Representative Myers.

Representative Selby offered **House Amendment No. 1.**

Representative St. Onge raised a point of order that **House Amendment No. 1** goes beyond the title and scope of the bill.

The Chair ruled the point of order well taken.

Representative Smith (118) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 739, Page 4, Section 640.018, Line 27, by adding after said line the following:

“Section 1. Notwithstanding section 165.011.1 RSMo to the contrary, all moneys received in the Pettis County School Fund prior to November 1, 2003, in resolution of environmental law violations shall be deposited into the capital projects fund. The provisions of this subsection shall terminate on December 31, 2005.”.

On motion of Representative Smith (118), **House Amendment No. 2** was adopted.

On motion of Representative Myers, **HCS SB 739, as amended**, was adopted.

On motion of Representative Myers, **HCS SB 739, as amended**, was read the third time and passed by the following vote:

AYES: 102

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Bringer
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hampton	Harris 23
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Johnson 47	Kelly 144	Kelly 36	King
Kingery	Kuessner	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Threlkeld	Townley
Viebrock	Wallace	Ward	Wasson	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yates	Madam Speaker			

NOES: 054

Bishop	Bland	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly

El-Amin	Fraser	George	Graham	Green
Harris 110	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 90	Jolly	Jones	Kratky
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Sager	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Whorton	Wildberger	Wilson 25
Wilson 42	Yaeger	Young	Zweifel	

PRESENT: 003

Boykins	Brooks	Johnson 61
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ABSENT WITH LEAVE: 004

Abel	Avery	Lawson	Reinhart
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Speaker Hanaway declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SS SCS SB 730: Representatives Portwood, Lembke, Threlkeld, Hilgemann and Muckler.

THIRD READING OF HOUSE BILL - CONSENT

HB 1317, relating to a special license plate, was taken up by Representative Kingery.

On motion of Representative Kingery, **HB 1317** was read the third time and passed by the following vote:

AYES: 139

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrouh	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Engler	Ervin	Fares	Goodman
Graham	Green	Guest	Hampton	Harris 23
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker

Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wood	Wright
Yaeger	Young	Zweifel	Madam Speaker	

NOES: 019

Barnitz	Campbell	Donnelly	Dusenberg	Emery
Fraser	George	Harris 110	Haywood	Hoskins
Johnson 61	Smith 118	Townley	Vogt	Walker
Wilson 25	Wilson 42	Witte	Yates	

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 004

Avery	Lawson	Marsh	Reinhart
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Speaker Hanaway declared the bill passed.

Representative Cooper (120) assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 978, relating to small business, was taken up by Representative Baker.

Representative Baker offered **HS HCS HB 978**.

On motion of Representative Baker, **HS HCS HB 978** was adopted.

On motion of Representative Baker, **HS HCS HB 978** was ordered perfected and printed.

HB 1616, relating to administrative rules, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HB 1616** was ordered perfected and printed.

Speaker Hanaway resumed the Chair.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1516 - Crime Prevention and Public Safety

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS SB 718**, entitled:

An act to repeal section 536.010, RSMo, and to enact in lieu thereof six new sections relating to small businesses.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 757**, entitled:

An act to repeal sections 301.010, 301.069, and 390.020, RSMo, and to enact in lieu thereof three new sections relating to transportation.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS #2 SB 762**, entitled:

An act to repeal sections 210.565 and 210.760, RSMo, and to enact in lieu thereof six new sections relating to foster care.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 788**, entitled:

An act to repeal sections 302.775, 304.022, and 307.175, RSMo, and to enact in lieu thereof three new sections relating to the operation of emergency vehicles, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 845**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to a memorial highway.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 883**, entitled:

An act to repeal section 135.766 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session, and to enact in lieu thereof one new section for the sole purpose of reenacting section 135.766 as repealed by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session which was held unconstitutional by the Missouri Supreme Court.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 894**, entitled:

An act to repeal section 307.172, RSMo, and to enact in lieu thereof one new section relating to maximum bumper heights for motor vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 899**, entitled:

An act to repeal section 307.375, RSMo, and to enact in lieu thereof one new section relating to inspection of school buses.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 956**, entitled:

An act to repeal sections 307.125 and 307.127, RSMo, and to enact in lieu thereof two new sections relating to operating animal-driven vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 966**, entitled:

An act to amend chapter 288, RSMo, by adding thereto one new section relating to employment security of temporary employees.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1020, 889 & 869**, entitled:

An act to repeal sections 610.010, 610.011, 610.015, 610.020, 610.021, 610.022, 610.023, 610.026, 610.027, 610.029, 610.100, and 610.200, RSMo, and to enact in lieu thereof fourteen new sections relating to public records.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1078**, entitled:

An act to repeal section 382.210, RSMo, and to enact in lieu thereof one new section relating to notice of extraordinary dividends in insurance holding company systems.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1086**, entitled:

An act to repeal section 375.937, RSMo, and to enact in lieu thereof one new section relating to homeowner insurance requirements by lenders.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1114**, entitled:

An act to repeal section 82.291, RSMo, and to enact in lieu thereof one new section relating to removal of nuisances, with a termination date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1225**, entitled:

An act to repeal section 84.160, RSMo, and to enact in lieu thereof one new section relating to maximum amounts of compensation for police officers.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1243**, entitled:

An act to repeal section 475.275, RSMo, and to enact in lieu thereof one new section relating to verification of securities held by conservator.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1253**, entitled:

[illegible]

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Amber Boykins, District 60, hereby state and affirm that my votes as recorded on Pages 655, 656, 659, 660 and 676 of the House Journal for Tuesday, March 16, 2004, showing that I was absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Amber Boykins
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sharon Sanders Brooks, District 115, hereby state and affirm that my votes as recorded on Pages 660 and 661 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Sharon Sanders Brooks
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jason R. Brown, District 30, hereby state and affirm that my vote as recorded on Page 666 of the House Journal for Tuesday, March 16, 2004 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Jason R. Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative John Burnett, District 40, hereby state and affirm that my votes as recorded on Pages 668 and 670 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ John Burnett
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Cunningham, District 145, hereby state and affirm that my vote as recorded on Page 667 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Mike Cunningham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kathlyn Fares, District 91, hereby state and affirm that my vote as recorded on Pages 666 and 667 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Kathlyn Fares
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hobbs, District 21, hereby state and affirm that my vote as recorded on Pages 655 and 656 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Steve Hobbs
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Pages 660 and 661 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

[illegible]

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my vote as recorded on Pages 675 and 676 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Bryan Pratt
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Marilyn Ruestman, District 131, hereby state and affirm that my votes as recorded on Pages 663, 667 and 668 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Marilyn Ruestman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Therese Sander, District 22, hereby state and affirm that my vote as recorded on Page 667 of the House Journal for Tuesday, March 16, 2004 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Therese Sander
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Chris Shoemaker, District 8, hereby state and affirm that my votes as recorded on Pages 665, 666, 667 and 670 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Chris Shoemaker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Neal St. Onge, District 88, hereby state and affirm that my vote as recorded on Page 658 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Neal St. Onge
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Larry Gene Taylor, District 68, hereby state and affirm that my vote as recorded on Pages 667 and 668 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Larry Gene Taylor
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kevin Threlkeld, District 109, hereby state and affirm that my vote as recorded on Pages 667 and 668 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Kevin Threlkeld
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Vicki Walker, District 50, hereby state and affirm that my vote as recorded on Page 666 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Vicki Walker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jay Wasson, District 141, hereby state and affirm that my votes as recorded on Pages 660 and 661 of the House Journal for Tuesday, March 16, 2004 showing that I was absent with leave were incorrectly recorded.

Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Yvonne S. Wilson, District 42, hereby state and affirm that my votes as recorded on Pages 659 and 660 of the House Journal for Tuesday, March 16, 2004, showing that I was absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2004.

/s/ Yvonne S. Wilson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1507, HB 1432, SS SCS SBs 740, 886, 1178

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Monday, March 29, 2004, 9:30 a.m. Hearing Room 6.

Information/presentation from the Department of Social Services.

Follow up from DESE on grants.

Kaufmann Foundation information and other matters for future meetings.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General, MoDOT cleanup legislation, One Stop Shop.

TAX POLICY

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 7.

Guest speaker - Dr. Lynn Reaser. If time allows, discussion of subcommittee report will follow. Executive session may follow.

HOUSE CALENDAR

FORTY-FIRST DAY, THURSDAY, MARCH 18, 2004

HOUSE BILLS FOR SECOND READING

HB 1678 through HB 1685

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1278, as amended, HA 2, pending - Luetkemeyer (115)
- 4 HCS HB 1150 - May (149)
- 5 HB 1092 - Deeken (114)
- 6 HCS HB 1207 - Icet (84)
- 7 HCS HB 774 - Sander (22)
- 8 HCS HB 843, 880 & 1042 - Angst (146)
- 9 HCS HB 1099 - Reinhart (34)
- 10 HB 1424 - Stefanick (93)
- 11 HB 773 - Icet (84)
- 12 HB 1302 - Lager (4)
- 13 HCS HB 1453 - Hanaway (87)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/11/04)

- 1 HCS HB 798 - Shoemaker (8)
- 2 HB 822 - Luetkemeyer (115)
- 3 HCS HB 1246 - Portwood (92)
- 4 HCS HB 1422 - Stefanick (93)
- 5 HB 1427 - Portwood (92)
- 6 HB 1364 - Bishop (38)
- 7 HB 1572 - St. Onge (88)
- 8 HB 1622 - Wasson (141)

(3/15/04)

- 1 HCS HB 928 - Bivins (97)
- 2 HB 970 - Portwood (92)
- 3 HCS HB 1123 - Smith (14)
- 4 HCS HB 1201 - Dusenberry (54)
- 5 HCS HB 1280 - Kingery (154)
- 6 HCS HB 1284 - Engler (106)
- 7 HB 1438 - Ward (107)
- 8 HB 1442 - Lipke (157)
- 9 HCS HB 1449 - Bruns (113)
- 10 HB 1489 - Barnitz (150)
- 11 HB 1508 - Baker (123)
- 12 HB 1575 - Mayer (159)
- 13 HB 1493 - Emery (126)
- 14 HB 1407 - Mayer (159)
- 15 HB 1362, HCA 1 - Hobbs (21)
- 16 HB 1377 - Sutherland (99)
- 17 HCS HB 1321 - Schaaf (28)
- 18 HB 1608 - Dougherty (53)
- 19 HB 1635 - Salva (51)
- 20 HB 1612 - Bringer (6)
- 21 HB 1634 - Behnen (2)
- 22 HCS HB 1524 - Ransdall (148)
- 23 HCS HB 1614 - Holand (135)
- 24 HB 1604 - Bean, Jr. (163)
- 25 HB 1610 - Ward (107)
- 26 HB 1613 - Morris (138)

(3/16/04)

- 1 HB 1048 - Parker (12)
- 2 HCS HB 1069 - Bivins (97)
- 3 HCS HB 1090 - Bishop (38)
- 4 HB 1217 - Johnson (47)
- 5 HCS HB 1233 - Dixon (140)
- 6 HCS HB 1253 - Luetkemeyer (115)
- 7 HCS HB 1405 - Dougherty (53)
- 8 HB 1440 - Deeken (114)
- 9 HB 1444 - Moore (20)
- 10 HB 1445 - Mayer (159)
- 11 HB 1502 - Wilson (42)
- 12 HCS HB 1529 & 1655 - Lembke (85)
- 13 HB 1603 - Lager (4)
- 14 HCS HB 1631 & 1623 - Dixon (140)
- 15 HCS HB 1660 - Lager (4)

(3/17/04)

- 1 HB 1454 - Swinger (162)
- 2 HB 1462 - Bean, Jr. (163)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 855 - Holand (135)
- 2 HCS HB 1055 - Bruns (113)
- 3 HCS HB 1041, E.C. - Cunningham (86)
- 4 HCS HB 1074 & 1129 - Byrd (94)
- 5 HCS HB 1098 & 949 - Goodman (132)
- 6 HB 1504, E.C. - Lipke (157)
- 7 HB 869 - Townley (112)
- 8 HCS HB 988 - Yates (56)
- 9 HCS HB 1277, E.C. - Townley (112)
- 10 HCS HB 795, 972, 1128 & 1161 - Johnson (47)
- 11 HS HB 1193 - Self (116)
- 12 HCS HB 1152 - Wilson (130)
- 13 HB 1167 - Kelly (144)
- 14 HS HB 1487, E.C. - Self (116)
- 15 HCS HB 941 - Davis (122)
- 16 HB 1494 - Ervin (35)
- 17 HS HCS HB 978 - Baker (123)
- 18 HB 1616 - Hanaway (87)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 884 - Ward (107)
- 3 HB 1029, HCA 1 - Henke (11)
- 4 HB 1114 - Skaggs (31)
- 5 HB 1142, HCA 1 - Daus (67)
- 6 HB 1223 - Ward (107)
- 7 HCS HB 1471 - Brooks (37)
- 8 HCS HB 985 - Wood (62)
- 9 HB 996 - Dusenberg (54)
- 10 HCS HB 1136 - Rupp (13)
- 11 HB 1187 - Ervin (35)
- 12 HB 1188 - Lipke (157)
- 13 HCS HB 1288 - Threlkeld (109)
- 14 HCS HB 1179 - Corcoran (77)
- 15 HCS HB 1347 - Jetton (156)
- 16 HCS HB 1456 - Black (161)

SENATE BILLS FOR SECOND READING

- 1 SS SS SB 718
- 2 SCS SB 757
- 3 SCS#2 SB 762
- 4 SCS SB 788
- 5 SCS SB 845
- 6 SB 883
- 7 SB 894
- 8 SB 899
- 9 SCS SB 956
- 10 SB 966
- 11 SCS SBs 1020, 889 & 869
- 12 SCS SB 1078
- 13 SB 1086
- 14 SB 1114
- 15 SCS SB 1225
- 16 SB 1243
- 17 SCS SB 1253

BILL CARRYING REQUEST MESSAGE

SCS HCS HB 1014, as amended (request Senate recede/grant conference) - Bearden (16)

BILL IN CONFERENCE

HS HCS SS SCS SB 730, as amended - Portwood (92)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-FIRST DAY, THURSDAY, MARCH 18, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Let us pray, in the words of Solomon.

“O Lord, my God, You have made me, Your servant,
king to succeed my father David;
but I am a mere youth, not knowing at all how to act.
I serve You in the midst of the people whom You have chosen,
a people so vast that it cannot be numbered or counted.
Give Your servant therefore an understanding heart
to judge Your people and distinguish right from wrong.
For who is able to govern this vast people of Yours?”
(1 Kings 3:7-9)

O Lord, our God, give us wise and understanding hearts. There are issues before us demanding our discernment of right from wrongs. There are many needs placed before us competing for limited dollars. There are the disabled and the poor, who depend upon help to overcome poverty or even to survive.

Yes, Lord, give us wisdom and understanding to do our part in governing, so that we give to each according to need and ask from each according to ability.

We pray to You, our God for ever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Grant David Evers, Lindsey Emerson, Clinton Fowler, Hayley Staggs, Brooke Burge, Jessica Eudy, Shane Greaser and Sarah Bachle.

The Journal of the fortieth day was approved as corrected.

Representative Parker assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1225
and
House Resolution No. 1226 - Representative Carnahan
House Resolution No. 1227
through
House Resolution No. 1249 - Representative Kingery
House Resolution No. 1250 - Representative Bishop
House Resolution No. 1251 - Representative Cooper (120)
House Resolution No. 1252 - Representative Bringer
House Resolution No. 1253 - Representative Dusenberg
House Resolution No. 1254
and
House Resolution No. 1255 - Representative Lipke
House Resolution No. 1256 - Representative Lager
House Resolution No. 1257 - Representative Curls
House Resolution No. 1258 - Representative Fares
House Resolution No. 1259 - Representative Townley, et al
House Resolution No. 1260 - Representative Avery
House Resolution No. 1261
through
House Resolution No. 1265 - Representative Witte

HOUSE CONCURRENT RESOLUTION

Representative Dixon offered House Concurrent Resolution No. 35.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1686, introduced by Representatives Corcoran, Muckler, Walsh, Selby, Darrough and Zweifel, relating to enterprise zones.

HB 1687, introduced by Representatives Jones and Riback Wilson (25), relating to criminally negligent storage of a firearm.

HB 1688, introduced by Representative Jones, relating to emissions testing stations.

HB 1689, introduced by Representative Jones, relating to jury duty.

HB 1690, introduced by Representative Jones, relating to motor vehicle inspections.

HB 1691, introduced by Representative Jones, relating to unlawful detainer actions.

HB 1692, introduced by Representative Cooper (120), relating to property taxation of broadcasting equipment.

HB 1693, introduced by Representatives Riback Wilson (25), Walsh, Fraser, Jones and Donnelly, relating to victims of sexual offenses.

SECOND READING OF HOUSE BILLS

HB 1678 through **HB 1685** were read the second time.

SECOND READING OF SENATE BILLS

SS SB 718, SCS SB 757, SCS#2 SB 762, SCS SB 788, SCS SB 845, SB 883, SB 894, SB 899, SCS SB 956, SB 966, SCS SBs 1020, 889 & 869, SCS SB 1078, SB 1086, SB 1114, SCS SB 1225, SB 1243 and SCS SB 1253 were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 985, relating to real estate, was taken up by Representative Wood.

On motion of Representative Wood, **HCS HB 985** was adopted.

On motion of Representative Wood, **HCS HB 985** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider

Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 001

Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Burnett	Henke	Reinhart	Walton
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Representative Parker declared the bill passed.

HB 996, relating to school bus inspections, was taken up by Representative Dusenberg.

On motion of Representative Dusenberg, **HB 996** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley

Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Henke	Reinhart	Wilson 42
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Representative Parker declared the bill passed.

Speaker Hanaway resumed the Chair.

HCS HB 1136, relating to disposition of human fetuses, was taken up by Representative Rupp.

On motion of Representative Rupp, **HCS HB 1136** was adopted.

On motion of Representative Rupp, **HCS HB 1136** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson

Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 003

Hilgemann	Lowe	Whorton
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ABSENT WITH LEAVE: 004

Avery	Henke	McKenna	Reinhart
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Speaker Hanaway declared the bill passed.

HB 1187, relating to marina operations in Clay County, was taken up by Representative Ervin.

On motion of Representative Ervin, **HB 1187** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson

Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Wildberger

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 008

Avery	Henke	Lowe	Marsh	McKenna
Reinhart	Schoemehl	Stevenson		

Speaker Hanaway declared the bill passed.

HB 1188, relating to criminal case fees, was taken up by Representative Lipke.

On motion of Representative Lipke, **HB 1188** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25

Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

El-Amin	Hoskins	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Darrough	Henke	McKenna	Reinhart
Sutherland				

Speaker Hanaway declared the bill passed.

HCS HB 1288, relating to franchise agreements, was taken up by Representative Threlkeld.

On motion of Representative Threlkeld, **HCS HB 1288** was adopted.

On motion of Representative Threlkeld, **HCS HB 1288** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bearden
Behnen	Bishop	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25

Wilson 42	Witte	Wood	Wright	Yaeger
Young	Zweifel	Madam Speaker		

NOES: 002

Burnett	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bean	Bivins	Henke	McKenna
Reinhart	Richard	Yates		

Speaker Hanaway declared the bill passed.

HCS HB 1347, relating to state library and document publications, was taken up by Representative Jetton.

Representative Jetton offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1347, Page 3, Section 181.100, Line 24, by deleting the number "181.120" and inserting in lieu thereof the following:

"[181.120] **181.130**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jetton, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Jetton, **HCS HB 1347, as amended**, was adopted.

On motion of Representative Jetton, **HCS HB 1347, as amended**, was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36

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King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 001

Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Bishop	Henke	McKenna	Reinhart
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Speaker Hanaway declared the bill passed.

HCS HB 1456, relating to transient guest tax, was taken up by Representative Black.

On motion of Representative Black, **HCS HB 1456** was adopted.

On motion of Representative Black, **HCS HB 1456** was read the third time and passed by the following vote:

AYES: 140

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Donnelly	Dougherty	El-Amin
Emery	Engler	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May

Mayer	Meadows	Meiners	Miller	Moore
Muckler	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Purgason	Quinn	Ransdall
Rector	Richard	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Yaeger	Young	Zweifel	Madam Speaker

NOES: 016

Brown	Burnett	Cunningham 86	Dixon	Dusenberg
Ervin	Kelly 144	Lembke	Page	Portwood
Pratt	Roark	Skaggs	Wildberger	Wright
Yates				

PRESENT: 001

Harris 23

ABSENT WITH LEAVE: 006

Avery	Dethrow	Henke	McKenna	Morris
Reinhart				

Speaker Hanaway declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 978 - Budget (Fiscal Note)
HB 1257 - Tax Policy
HB 1430 - Financial Services
HB 1537 - Tax Policy
HB 1541 - Local Government
HB 1562 - Senior Security
HB 1564 - Tax Policy
HB 1568 - Transportation and Motor Vehicles
HB 1588 - Judiciary
HB 1594 - Local Government
HB 1596 - Financial Services
HB 1599 - Budget
HB 1618 - Crime Prevention and Public Safety
HB 1625 - Local Government
HB 1630 - Professional Registration and Licensing
HB 1632 - Agriculture

HB 1645 - Job Creation and Economic Development
HB 1646 - Judiciary
HB 1647 - Health Care Policy
HB 1648 - Tax Policy
HB 1649 - Education
HB 1650 - Crime Prevention and Public Safety
HB 1651 - Judiciary
HB 1652 - Local Government
HB 1653 - Local Government
HB 1666 - Transportation and Motor Vehicles
HB 1667 - Transportation and Motor Vehicles
HB 1669 - Tax Policy
HB 1670 - Homeland Security and Veterans Affairs
HB 1675 - Judiciary
HB 1676 - Budget

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 920 - Transportation and Motor Vehicles
SCS SB 937 - Budget
SCS SB 945 - Education
SS SCS SB 968 - Education
SB 1007 - Judiciary
SB 1044 - Corrections and State Institutions
SCS SB 1106 - Local Government
SB 1107 - Local Government
SB 1162 - Judiciary

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1085**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **SB 1080**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1617**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1195**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tourism and Cultural Affairs, Chairman Marsh reporting:

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **HB 1337**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1118**, begs leave to report it has examined the same and recommends that it **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1014, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Childers, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCS SCR 36**.

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 36

WHEREAS, underage drinking is an issue of concern to the citizens of our state; and

WHEREAS, research indicates teenagers and their parents are not well informed about the legal, social, and other consequences of underage drinking; and

WHEREAS, underage drinking may lead to social disruption, individual impairment and emotional maladjustment with tragic consequences:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create a Joint Interim Committee on Underage Drinking; and

BE IT FURTHER RESOLVED that the joint interim committee shall study the current public and private efforts to combat underage drinking, evaluate their effectiveness, and make recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the joint interim committee be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of eighteen members, of which four shall be members of the Senate appointed by the President Pro Tem of the Senate, of which at least two shall be members of the minority party; four shall be members of the House of Representatives, of which two shall be appointed by the Speaker of the House of Representatives and two of which shall be members of the minority party appointed by the Minority Floor Leader, with approval of the Speaker of the House of Representatives; two shall be representatives of the medical community who specialize in alcohol abuse and prevention, one which shall be appointed by the President Pro Tem of the Senate and one which shall be appointed by the Speaker of the House; two shall be representatives of the law enforcement community who work with schools in the prevention of alcohol abuse, one which shall be appointed by the President Pro Tem of the Senate and one which shall be appointed by the Speaker of the House; two shall be representatives of the commercial alcoholic beverage industry, one of which shall be appointed by the President Pro Tem of the Senate and one of which shall be appointed by the Speaker of the House; two parents of teenage children, one which shall be appointed by the President Pro Tem of the Senate and one which shall be appointed by the Speaker of the House; and two school students between the ages of 18 and 20 years, one which shall be appointed by the President Pro Tem of the Senate and one which shall be appointed by the Speaker of the House; and

BE IT FURTHER RESOLVED the President Pro Tem of the Senate and the Speaker of the House of Representatives shall collaborate to ensure that the membership of the joint interim committee reflects adequate minority and gender representation; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the members of the joint interim committee shall be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the joint interim committee shall expire on December 31, 2004, and on that same date deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate and the Speaker of the House of Representatives.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SB 730, as amended**: Senators Gross, Gibbons, Vogel, Goode and Bray.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 739, as amended**, and requests that the House to recede from its position and failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 768**, entitled:

An act to repeal section 174.453, RSMo, and to enact in lieu thereof one new section relating to qualifications for the board of governors of Missouri Southern State University-Joplin.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 824**, entitled:

An act to repeal section 301.390, RSMo, and to enact in lieu thereof one new section relating to seizure of motor vehicles with altered or missing licensed plates, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 884**, entitled:

An act to amend chapter 3, RSMo, by adding thereto one new section relating to the duties of the revisor of statutes.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 960**, entitled:

An act to repeal sections 137.073, and 137.115, RSMo, and to enact in lieu thereof three new sections relating to property tax reassessment, with an effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 974**, entitled:

An act to repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to suits against health care providers who provide medical evaluations.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1055**, entitled:

An act to repeal section 86.690, RSMo, and to enact in lieu thereof one new section relating to civilian employees' retirement system of the police department of Kansas City.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1064**, entitled:

An act to repeal section 488.2205, RSMo, and to enact in lieu thereof one new section relating to court costs.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1111**, entitled:

An act to repeal section 488.429, RSMo, and to enact in lieu thereof one new section relating to law library funds.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1123**, entitled:

An act to amend chapter 208, RSMo, by adding thereto one new section relating to reimbursement of nursing homes, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1130**, entitled:

An act to repeal section 251.440, RSMo, and to enact in lieu thereof two new sections relating to regional planning commissions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1133**, entitled:

An act to repeal section 168.221, RSMo, and to enact in lieu thereof one new section relating to school principals.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1141**, entitled:

An act to repeal sections 245.015, 245.060, 245.095, and 246.305, RSMo, and to enact in lieu thereof four new sections relating to levee districts.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1181**, entitled:

An act to repeal sections 334.100, 334.530, 334.540, 334.550, 334.655, 334.660, and 334.665, RSMo, and to enact in lieu thereof seven new sections relating to licensing of physical therapists and physical therapist assistants.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1188**, entitled:

An act to repeal section 376.671, RSMo, and to enact in lieu thereof two new sections relating to annuity contracts, with an expiration date and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1240**, entitled:

An act to repeal section 488.429, RSMo, and to enact in lieu thereof one new section relating to law library funds.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1249**, entitled:

An act to repeal sections 34.010 and 34.070, RSMo, and to enact in lieu thereof three new sections relating to state purchasing.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1250**, entitled:

[illegible]

Subscribed and sworn to before me this 18th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my vote as recorded on Page 696 of the House Journal for Wednesday, March 17, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of March 2004.

/s/ Curt Dougherty
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Hampton, District 147, hereby state and affirm that my vote as recorded on Page 715 of the House Journal for Wednesday, March 17, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of March 2004.

/s/ Mark Hampton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Joe Smith, District 14, hereby state and affirm that my vote as recorded on Page 711 of the House Journal for Wednesday, March 17, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of March 2004.

/s/ Joe Smith
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1507, HB 1432, SS SCS SBs 740, 886, 1178

BUDGET

Monday, March 29, 2004, 12:00 p.m. Hearing Room 3.

Possible Executive session.

All other bills that may be assigned or referred to committee for fiscal review.

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Monday, March 29, 2004, 8:00 p.m. Hearing Room 3.

Possible Executive session.

All bills that may be assigned or referred to committee for fiscal review.

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1567, HB 1602, HB 1609

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 30, 2004, Hearing Room 3 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1490, HB 1450, HB 1245, HB 1264

FINANCIAL SERVICES

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 6.

Possible Executive session.

Public hearings to be held on: HB 1570, HB 1665

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Monday, March 29, 2004, 9:30 a.m. Hearing Room 6.

Information/presentation from the Department of Social Services.

Follow up from DESE on grants.

Kaufmann Foundation information and other matters for future meetings.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, March 29, 2004, 1:00 p.m. Senate Lounge.

Topics for discussion. Remarks from MoDOT, Inspector General,

MoDOT cleanup legislation, One Stop Shop.

LOCAL GOVERNMENT

Thursday, April 1, 2004, 8:15 a.m. Hearing Room 6.

Continuation of hearing opponents only on HB 1446.

Public hearings to be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769

Executive session will be held on: SCS SB 952, SS SB 732, SCS SB 1062

TAX POLICY

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 7.

Guest speaker - Dr. Lynn Reaser.

If time allows, discussion of subcommittee report will follow.

Executive session may follow.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1583, HB 1592, HB 1499, HB 1525, HB 1582, SCS SJR 44

Executive session may be held on: SCS SB 767, SB 770, SCS SB 1006

HOUSE CALENDAR

FORTY-SECOND DAY, MONDAY, MARCH 29, 2004

HOUSE BILLS FOR SECOND READING

HB 1686 through HB 1693

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1278, as amended, HA 2, pending - Luetkemeyer (115)
- 4 HCS HB 1150 - May (149)
- 5 HB 1092 - Deeken (114)
- 6 HCS HB 1207 - Icet (84)
- 7 HCS HB 774 - Sander (22)
- 8 HCS HB 843, 880 & 1042 - Angst (146)
- 9 HCS HB 1099 - Reinhart (34)
- 10 HB 1424 - Stefanick (93)
- 11 HB 773 - Icet (84)
- 12 HB 1302 - Lager (4)
- 13 HCS HB 1453 - Hanaway (87)
- 14 HCS HB 1085 - Townley (112)
- 15 HCS HB 1195 - Behnen (2)
- 16 HB 1337 - Nieves (98)
- 17 HCS HB 1617 - Hanaway (87)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1118 - Schlottach (111)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/15/04)

- 1 HCS HB 928 - Bivins (97)
- 2 HB 970 - Portwood (92)
- 3 HCS HB 1123 - Smith (14)
- 4 HCS HB 1201 - Dusenberg (54)
- 5 HCS HB 1280 - Kingery (154)
- 6 HCS HB 1284 - Engler (106)
- 7 HB 1438 - Ward (107)
- 8 HB 1442 - Lipke (157)
- 9 HCS HB 1449 - Bruns (113)
- 10 HB 1489 - Barnitz (150)
- 11 HB 1508 - Baker (123)

- 12 HB 1575 - Mayer (159)
- 13 HB 1493 - Emery (126)
- 14 HB 1407 - Mayer (159)
- 15 HB 1362, HCA 1 - Hobbs (21)
- 16 HB 1377 - Sutherland (99)
- 17 HCS HB 1321 - Schaaf (28)
- 18 HB 1608 - Dougherty (53)
- 19 HB 1635 - Salva (51)
- 20 HB 1612 - Bringer (6)
- 21 HB 1634 - Behnen (2)
- 22 HCS HB 1524 - Ransdall (148)
- 23 HCS HB 1614 - Holand (135)
- 24 HB 1604 - Bean, Jr. (163)
- 25 HB 1610 - Ward (107)
- 26 HB 1613 - Morris (138)

(3/16/04)

- 1 HB 1048 - Parker (12)
- 2 HCS HB 1069 - Bivins (97)
- 3 HCS HB 1090 - Bishop (38)
- 4 HB 1217 - Johnson (47)
- 5 HCS HB 1233 - Dixon (140)
- 6 HCS HB 1253 - Luetkemeyer (115)
- 7 HCS HB 1405 - Dougherty (53)
- 8 HB 1440 - Deeken (114)
- 9 HB 1444 - Moore (20)
- 10 HB 1445 - Mayer (159)
- 11 HB 1502 - Wilson (42)
- 12 HCS HB 1529 & 1655 - Lembke (85)
- 13 HB 1603 - Lager (4)
- 14 HCS HB 1631 & 1623 - Dixon (140)
- 15 HCS HB 1660 - Lager (4)

(3/17/04)

- 1 HB 1454 - Swinger (162)
- 2 HB 1462 - Bean, Jr. (163)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 855 - Holand (135)
- 2 HCS HB 1055 - Bruns (113)
- 3 HCS HB 1041, E.C. - Cunningham (86)
- 4 HCS HB 1074 & 1129 - Byrd (94)

- 5 HCS HB 1098 & 949 - Goodman (132)
- 6 HB 1504, E.C. - Lipke (157)
- 7 HB 869 - Townley (112)
- 8 HCS HB 988 - Yates (56)
- 9 HCS HB 1277, E.C. - Townley (112)
- 10 HCS HB 795, 972, 1128 & 1161 - Johnson (47)
- 11 HS HB 1193 - Self (116)
- 12 HCS HB 1152 - Wilson (130)
- 13 HB 1167 - Kelly (144)
- 14 HS HB 1487, E.C. - Self (116)
- 15 HCS HB 941 - Davis (122)
- 16 HB 1494 - Ervin (35)
- 17 HS HCS HB 978, (Budget 3-18-04) - Baker (123)
- 18 HB 1616 - Hanaway (87)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 884 - Ward (107)
- 3 HB 1029, HCA 1 - Henke (11)
- 4 HB 1114 - Skaggs (31)
- 5 HB 1142, HCA 1 - Daus (67)
- 6 HB 1223 - Ward (107)
- 7 HCS HB 1471 - Brooks (37)
- 8 HCS HB 1179 - Corcoran (77)
- 9 HCS HB 798 - Shoemaker (8)
- 10 HB 822 - Luetkemeyer (115)
- 11 HCS HB 1246 - Portwood (92)
- 12 HCS HB 1422 - Stefanick (93)
- 13 HB 1427 - Portwood (92)
- 14 HB 1364 - Bishop (38)
- 15 HB 1572 - St. Onge (88)
- 16 HB 1622 - Wasson (141)

SENATE BILLS FOR SECOND READING

- 1 SB 768
- 2 SB 824
- 3 SB 884
- 4 SS SCS SB 960
- 5 SCS SB 974
- 6 SB 1055
- 7 SB 1064
- 8 SB 1111
- 9 SB 1123

10 SB 1130
11 SB 1133
12 SCS SB 1141
13 SCS SB 1181
14 SCS SB 1188
15 SCS SB 1240
16 SB 1249
17 SCS SB 1250
18 SB 1257

SENATE BILL FOR THIRD READING

HCS SB 1080 - Wallace (143)

BILL CARRYING REQUEST MESSAGE

HCS SB 739, as amended, (request House recede/grant conference) - Myers (160)

BILLS IN CONFERENCE

1 HS HCS SS SCS SB 730, as amended - Portwood (92)
2 SCS HCS HB 1014, as amended - Bearden (16)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-SECOND DAY, MONDAY, MARCH 29, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, "Anger is cruel, and wrath is like a flood, but who can survive the destructiveness of jealousy?" Help us, in the second half of this legislative session, to engage in lively, constructive debate, while showing civility to one another. May our discussions be stimulating and candid as we seek to do Your will and the will of the electorate.

Thank You for preparing us for such a time as this. May we be fit and able to finish the task before us.

And now unto You be glory both now and forever.....

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Emma Christine Maxwell.

The Journal of the forty-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1266	-	Representative Walton
House Resolution No. 1267	-	Representative Carnahan
House Resolution No. 1268	-	Representative Barnitz
House Resolution No. 1269	-	Representative Whorton
House Resolution No. 1270	-	Representative El-Amin
House Resolution No. 1271	-	Representative Rector
House Resolution No. 1272	-	Representative Sander
House Resolution No. 1273	-	Representatives Hubbard and Thompson
House Resolution No. 1274	-	Representative Rector
House Resolution No. 1275	-	Representative Bland
House Resolution No. 1276	-	Representative Seigfreid

- House Resolution No. 1277
and
House Resolution No. 1278 - Representative Munzlinger
House Resolution No. 1279 - Representative Bough
House Resolution No. 1280
through
House Resolution No. 1293 - Representative Portwood
House Resolution No. 1294 - Representative Bough
House Resolution No. 1295 - Representative Crowell
House Resolution No. 1296
and
House Resolution No. 1297 - Representative Munzlinger
House Resolution No. 1298 - Representative Whorton
House Resolution No. 1299 - Representative Pearce
House Resolution No. 1300
and
House Resolution No. 1301 - Representative Yates
House Resolution No. 1302 - Representative Sander
House Resolution No. 1303 - Representatives Graham and Harris (23)
House Resolution No. 1304 - Representative Zweifel, et al
House Resolution No. 1305
and
House Resolution No. 1306 - Representative Moore
House Resolution No. 1307 - Representatives Rupp and Threlkeld
House Resolution No. 1308 - Representative Roark
House Resolution No. 1309 - Representative Abel
House Resolution No. 1310 - Representative Munzlinger
House Resolution No. 1311
and
House Resolution No. 1312 - Representative Dougherty
House Resolution No. 1313 - Representatives Willoughby and Meadows
House Resolution No. 1314 - Representative Dethrow
House Resolution No. 1315 - Representative Wilson (130)
House Resolution No. 1316 - Representative Riback Wilson (25)

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1694, introduced by Representative Schoemehl, relating to armored car crew members.

HB 1695, introduced by Representative Luetkemeyer, relating to utility companies.

HB 1696, introduced by Representative Lembke, relating to disclosure of certain lessor ownership interests.

HB 1697, introduced by Representatives Cooper (120) and Angst, relating to retail transactions involving a trade-in or rebate.

SECOND READING OF HOUSE BILLS

HB 1686 through **HB 1693** were read the second time.

SECOND READING OF SENATE BILLS

SB 768, SB 824, SB 884, SS SCS SB 960, SCS SB 974, SB 1055, SB 1064, SB 1111, SB 1123, SB 1130, SB 1133, SCS SB 1141, SCS SB 1181, SCS SB 1188, SCS SB 1240, SB 1249, SCS SB 1250 and SB 1257 were read the second time.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1014: Representatives Bearden, Lager, Purgason, Campbell and LeVota

PERFECTION OF HOUSE BILL

HCS HB 1278, as amended, with House Amendment No. 2, pending, relating to insurance, was taken up by Representative Luetkemeyer.

House Amendment No. 2 was withdrawn.

Representative Luetkemeyer offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1278, Page 2, Section 374.160, Line 20, by deleting the phrase "[fifteen] **ten**" and inserting in lieu thereof the following:

"fifteen"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hobbs assumed the Chair.

On motion of Representative Luetkemeyer, **House Amendment No. 3** was adopted.

Representative Dixon offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1278, Page 34, Section 376.433, Lines 4 through 10, by deleting said lines and by inserting in lieu thereof the following:

“shall have the same rights and obligations, and be subject to the same remedies, as the department of social services has with medicaid, as provided in section 208.215, RSMo.”; and

Further amend said section, Line 12, by inserting immediately after said line the following:

“3. This section shall not apply to limited benefit supplemental health insurance policies paid for entirely by an employee of the public entity.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 4** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1278, Page 45, Section 376.816, Line 19, by inserting immediately after said line the following:

“376.841. Sections 376.825 to 376.840 shall not expire on January 1, 2005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1278, Page 45, Section 376.816, Line 19, by inserting immediately after said line the following:

“376.841. Sections 376.825 to 376.840 shall expire on January 1, 2010.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pratt, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Engler offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1278, Page 80, Section 384.065, Line 15, by inserting after all of said line the following:

"407.730. As used in sections 407.730 to 407.748, the following terms mean:

(1) **"Authorized driver":**

(a) **The renter;**

(b) **The renter's spouse if the spouse is a licensed driver and satisfies the car rental company's minimum age requirement;**

(c) **The renter's employee or co-worker if they are engaged in business activity with the person to whom the vehicle is rented, are licensed drivers, and satisfy the rental company's minimum age requirements;**

(d) **Any person who operates the vehicle during an emergency situation; and**

(e) **Any person expressly listed by the car rental company on the renter's contract as an authorized driver;**

(2) **"Blackout date", any date on which an advertised price is totally unavailable to the public;**

(3) **"Car rental company", any person or entity in the business of renting private passenger vehicles to the public;**

[(2)] (4) **"Clear and conspicuous", that the statement, representation or term being disclosed is of such size, color contrast, and audibility and is so presented as to be readily noticed and understood by the person to whom it is being disclosed. All language and terms should be used in accordance with their common or ordinary usage and meaning;**

[(3)] (5) **"Collision damage waiver", any product a consumer purchases from a car rental company in order to waive all or part of his [liability in the event of a collision, other damage to] responsibility for damages, or loss [due to theft] of, a rental vehicle;**

[(4)] (6) **"Limited time availability", that the advertised rental price is only available for a specific period of time or that the price is not available during certain blackout periods;**

[(5)] (7) **"Material restriction", a restriction, limitation or other requirement which significantly affects the price of, use of, or a consumer's financial responsibility for a rental car;**

[(6)] (8) **"Mandatory charge", any charge, fee, or surcharge consumers must generally pay in order to obtain or operate a rental vehicle;**

(9) **"Car rental insurance", products and services that are offered in connection with and incidental to the rental of a motor vehicle under subdivision (10) of subsection 1 of section 375.786, RSMo. This definition of optional car rental insurance or any other definition of insurance shall not include collision damage waiver;**

(10) **"Rental agreement", any document or combination of documents, which, when read together and incorporated by reference to each other, relate to and establish the terms and conditions of the rental of a motor vehicle by an individual; or when such combination of documents are entered into as part of any written master, corporate, group or individual agreement setting forth the terms and conditions governing the use of a rental car rented by a car rental company;**

[(7)] (11) **"Advertisement", oral, written, graphic or pictorial statements made in the course of solicitation of business including, without limitation, any statement or representation made in a newspaper, magazine, the car rental company's proprietary web site, or other publication, or contained in any notice, sign, poster, display, circular, pamphlet, or letter which may collectively be called "print advertisements", or on radio or television, which may be referred to as "broadcast commercials".**

407.735. 1. Any business practices utilized by car rental companies in furtherance of their business of renting vehicles to the public shall be nondeceptive, fair and shall not be unconscionable.

2. Any collision damage waiver product offered for sale to the public shall not contain any provisions that are deceptive, unfair or unconscionable. It is deceptive, unfair, and unconscionable to require a consumer to assume absolute liability for damage or loss up to the total value of a rental vehicle regardless of fault as a condition of the rental agreement, and then not include as part of any collision damage waiver product, a waiver of liability for any damage or loss which occurs as a result of the consumer's ordinary negligence, except where:

(1) The damage is caused intentionally by an authorized driver or as a result of his willful and wanton misconduct;

(2) The damage arises out of the authorized driver's operation of the vehicle while intoxicated or under the influence of any illegal or unauthorized drug;

(3) The rental transaction is based on fraudulent information supplied by the renter;

(4) The damage arises out of the use of the vehicle while committing or otherwise engaged in a criminal act in which the automobile usage is substantially related to the nature of the criminal activity;

(5) The damage arises out of the use of the vehicle to carry persons or property for hire;

(6) The damage occurs while the vehicle is operated by a person other than an authorized driver[. For the purposes of this subsection, "authorized driver" means the person to whom the vehicle is rented; the renter's spouse or other family members who are licensed drivers and satisfy the rental company's minimum age requirement; the renter's employer or co-worker if they are engaged in business activity with the person to whom the vehicle is rented, are licensed drivers, and satisfy the rental company's minimum age requirement; any person who operates the vehicle during an emergency situation or while parking the vehicle at a commercial establishment; and any person expressly listed by the rental company on the rental agreement as an authorized driver] **as defined in section 407.730;**

(7) The damage arises out of the use of the vehicle outside of the United States unless such use is specifically authorized by the rental agreement;

(8) Towing or pushing anything or if operation of the vehicle on an unpaved road has resulted in damage or loss which is a direct result of the road or driving conditions;

(9) Loss due to the theft of the rental vehicle. However, the renter shall be presumed to have no liability for any loss due to theft if (A) an authorized driver has possession of the ignition key furnished by the rental company or an authorized driver establishes that the ignition key furnished by the **car** rental company was not in the vehicle at the time of the theft, and (B) an authorized driver files an official report of the theft with the police or other law enforcement agency within twenty-four hours of learning of the theft and reasonably cooperates with the **car** rental company and the police or other law enforcement agency in providing information concerning the theft. The presumption set forth in this paragraph is a presumption affecting the burden of proof which the **car** rental company may rebut by establishing that an authorized driver committed, or aided and abetted the commission of, the theft.

3. Any claim resulting from damage to or loss of a rental vehicle shall be reasonably and rationally related to the actual loss incurred. The **car** rental company shall not assert or collect any claim for physical or mechanical damage to or loss of a rental vehicle which exceeds: the actual cash value of the vehicle immediately before the loss less any proceeds from the vehicle's disposal after the loss, or the actual cost to repair the damaged vehicle including all discounts or price reductions, whichever is less. Such claim shall be based on an estimate of damage or repair invoice made by an independent appraisal company, an insurance company, or a repair facility that completed or would complete the repairs. A **car** rental company's charge for loss of use shall not exceed a reasonable estimate of the actual income lost.

4. It is a deceptive and unfair practice for a car rental company or employee to misrepresent any **material** element of a rental agreement transaction or to fail to disclose to consumers [all] **any** material facts [and restrictions] **or restriction** applicable to the rental of a vehicle or in the sale of [optional products or services] **collision damage waiver and car rental insurance**. The company shall disclose **in the rental agreement** the extent of the consumer's liability for the vehicle and the price for collision damage waiver, **car rental insurance**, and applicable mileage limitations and charges. **A car rental company shall not require the purchase of collision damage waiver or car rental insurance**. No car rental company shall sell or offer to sell a consumer a collision damage waiver [product] **or car rental insurance** as a part of the rental agreement unless the car rental company [first] provides the consumer with the following written notice:

[NOTICE: THIS CONTRACT OFFERS, FOR AN ADDITIONAL CHARGE, A COLLISION DAMAGE WAIVER TO COVER YOUR RESPONSIBILITY FOR DAMAGE TO THE VEHICLE. BEFORE YOU DECIDE WHETHER TO PURCHASE THE COLLISION DAMAGE WAIVER PRODUCT, YOU MAY WISH TO DETERMINE WHETHER YOUR OWN VEHICLE INSURANCE AFFORDS YOU COVERAGE FOR DAMAGE TO THE RENTAL VEHICLE AND THE AMOUNT OF THE DEDUCTIBLE UNDER YOUR OWN INSURANCE COVERAGE. THE PURCHASE OF THIS COLLISION DAMAGE WAIVER PRODUCT IS NOT MANDATORY AND MAY BE DECLINED.] **COLLISION DAMAGE WAIVER AND CAR RENTAL INSURANCE NOTICE: OUR CONTRACT OFFERS FOR AN ADDITIONAL CHARGE COLLISION DAMAGE AND CAR RENTAL INSURANCE PRODUCTS. BEFORE DECIDING WHETHER TO PURCHASE ANY OF THESE OPTIONAL PRODUCTS, YOU MAY WISH TO DETERMINE WHETHER YOUR PERSONAL INSURANCE OR CREDIT CARD PROVIDES YOU COVERAGE DURING THE RENTAL PERIOD. THE PURCHASE OF ANY OF THESE OPTIONAL PRODUCTS IS NOT REQUIRED TO RENT A VEHICLE.**

Such notice shall be made on the face of the rental agreement as part of the written contract, shall be set apart in boldface type and in no smaller print than 10-point type, and shall include a space for the consumer to acknowledge his **or her** receipt of this notice.

5. **The car rental company shall provide a notice at the rental office in the form of a sign, placard, or brochure that informs the consumer of the following:**

(1) **The availability of collision damage waiver;**

- (2) The availability of car rental insurance;
- (3) That collision damage waiver and car rental insurance may be added or removed at any time with the charges and benefits applying only during the period of purchase; and
- (4) A statement that the purchase of collision damage waiver and/or car rental insurance is not required in order to rent.

The following language may be used to comply with the requirements of this section, but shall not be considered the exclusive language that may be used:

COLLISION DAMAGE WAIVER AND CAR RENTAL INSURANCE NOTICE:

Our contract offers for an additional charge optional products which provide you protection during your rental, including:

1. **Collision Damage Waiver:** You are responsible for all damages to or loss of the rental vehicle. A Collision Damage Waiver will relieve you of responsibility for all or part of the damage to the rental vehicle that may occur during the rental period.

2. **Personal Accident Insurance:** Personal Accident Insurance provides accidental death and accident medical insurance that protects you during the rental period in or out of the rental vehicle and your passengers while in the rental vehicle.

3. **Personal Effects Coverage:** Personal Effects Coverage protects your possessions from loss or damage during the rental period.

4. **Liability Insurance:** Liability Insurance provides protection to cover injuries or death to third parties or damage to a third party's property if you are at fault in an accident with the rental vehicle during the rental period.

Any time during the rental period you may prospectively add or remove any of these optional products by bringing the rental vehicle and your rental agreement to any of the car rental company's locations. Charges and benefits will apply only during the period of purchase.

For a further description of collision damage waiver and car rental insurance, please see your rental agreement.

Before deciding to purchase any of these optional products, you may wish to determine whether your personal insurance or credit card provides you coverage during the rental period.

Before deciding to purchase any of these optional products, you may wish to determine whether your personal insurance or credit card provides you coverage during the rental period.

The purchase of any of these products is not required to rent a vehicle.

6. Car rental companies shall not place a hold against a consumer's credit limit or charge a consumer's credit card in a deceptive or unfair manner, and without full and complete disclosure of such practice.

7. **Notwithstanding any other provisions of law to the contrary, any car rental company that is found after notice and hearing to have violated any provision of this section shall be subject to a fine of fifty dollars for each violation. No fine or fines shall be imposed against a car rental company under this section which in the aggregate exceeds ten thousand dollars in any calendar year.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 6** was adopted.

Representative Portwood offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1278, Page 34, Section 376.433, Line 12, by adding after said line the following:

"Except that any public entity shall be prohibited from collecting more money from any third party or person who is liable for payment than the public entity is allowed to recover under the public entity's self-

insurance plan. In addition, no public entity shall be allowed to enforce the terms and conditions of the public entity's self-insurance policy on any health care provider who has been paid or is entitled to be paid for services rendered from any third party.”.

On motion of Representative Portwood, **House Amendment No. 7** was adopted.

Representative Daus offered **House Amendment No. 8**.

Representative Luetkemeyer raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Hobbs requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Selby offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1278, Page 81, Section 379.942, Line 55, by inserting after all of said line the following:

“**Section 1. Any insurer who provides insurance coverage for homeowners in the State of Missouri shall not increase premiums for any person over the age of 62 years.**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Selby moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Curls
Darrough	Daus	Davis 122	Dougherty	Fraser
Graham	Green	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Swinger	Thompson	Vogt	Walker
Walsh	Walton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Young
Zweifel				

NOES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns

Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Wallace	Whorton	Wilson 119
Wilson 130	Wright	Yates	Madam Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Avery	Corcoran	Donnelly	El-Amin
George	Hampton	Johnson 61	McKenna	Spreng
Wagner	Ward	Wasson		

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	Fraser	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann

Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Black	El-Amin	George	Hampton
Ward	Wasson			

On motion of Representative Luetkemeyer, **HCS HB 1278, as amended**, was adopted.

On motion of Representative Luetkemeyer, **HCS HB 1278, as amended**, was ordered perfected and printed.

BILL CARRYING REQUEST MESSAGE

HCS SB 739, as amended, relating to environmental rules, was taken up by Representative Myers.

Representative Myers moved that the House refuse to recede from its position on **HCS SB 739, as amended**, and grant the Senate a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1511**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1109**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 771**, entitled:

An act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of low-speed vehicles.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 772**, entitled:

An act to repeal section 307.100, RSMo, and to enact in lieu thereof one new section relating to flashing warning signals on certain motor vehicles.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 799**, entitled:

An act to repeal sections 193.165 and 193.255, RSMo, and to enact in lieu thereof two new sections relating to certificate of birth resulting in stillbirth.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1047**, entitled:

An act to repeal sections 210.481, 210.484, and 210.486, RSMo, and to enact in lieu thereof two new sections relating to facilities providing twenty-four-hour care for children in a group setting.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1083**, entitled:

An act to repeal section 701.342, RSMo, and to enact in lieu thereof one new section relating to testing for lead poisoning in children.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1084**, entitled:

An act to repeal sections 168.303, 169.712, and 169.596, RSMo, and to enact in lieu thereof three new sections relating to the teacher retirement system.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1093**, entitled:

An act to amend chapters 67, 362, and 369, RSMo, by adding thereto three new sections relating to investment of public funds.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1165**, entitled:

An act to repeal section 67.2015, RSMo, relating to taxation in any county of the third classification without a township form of government and with more than eight thousand three hundred but less than eight thousand four hundred inhabitants, with an effective date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1235**, entitled:

An act to repeal sections 375.246, 375.1198, and 375.1220, RSMo, and to enact in lieu thereof three new sections relating to insurer liquidation law.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1262**, entitled:

An act to repeal sections 301.010 and 301.217, RSMo, and to enact in lieu thereof two new sections relating to salvage motor vehicles.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1274**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to area health education centers.

In which the concurrence of the House is respectfully requested.

[illegible]

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sue Schoemehl, District 100, hereby state and affirm that my vote as recorded on Page 750 of the House Journal for Thursday, March 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2004.

/s/ Sue Schoemehl
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan P. Stevenson, District 128, hereby state and affirm that my vote as recorded on Page 750 of the House Journal for Thursday, March 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2004.

/s/ Bryan P. Stevenson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Sutherland, District 99, hereby state and affirm that my vote as recorded on Page 751 of the House Journal for Thursday, March 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2004.

/s/ Mike Sutherland
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Brian Yates, District 56, hereby state and affirm that my vote as recorded on Page 752 of the House Journal for Thursday, March 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2004.

/s/ Brian Yates
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Ron Richard, District 129, hereby state and affirm that my vote as recorded on Page 752 of the House Journal for Thursday, March 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2004.

/s/ Ron Richard
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dan Bishop, District 38, hereby state and affirm that my vote as recorded on Page 753 of the House Journal for Thursday, March 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant

to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2004.

/s/ Dan Bishop
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Dethrow, District 153, hereby state and affirm that my vote as recorded on Page 754 of the House Journal for Thursday, March 18, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2004.

/s/ Mike Dethrow
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1507, HB 1432, SS SCS SBs 740, 886 & 1178

BUDGET

Tuesday, March 30, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills that may be assigned or referred to committee for fiscal review.

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006,
HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Tuesday, March 30, 2004, 8:00 p.m. Hearing Room 3.

Possible Executive session.

Other bills that may be assigned or referred to committee for fiscal review.

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, March 30, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow

Public hearings to be held on: HB 1361, HB 1497, SCS SB 878

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1567, HB 1602, HB 1609

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 30, 2004, Hearing Room 3 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1490, HB 1450, HB 1245, HB 1264

ELECTIONS

Tuesday, March 30, 2004, Hearing Room 7 upon afternoon adjournment.

Executive session will precede the hearing. Executive session to include HJR 37.

Public hearings to be held on: HB 1539, HB 1319, HB 1220

FINANCIAL SERVICES

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 6.

Possible Executive session.

Public hearings to be held on: HB 1570, HB 1665

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, March 30, 2004, Hearing Room 5 upon afternoon adjournment.

Executive session may or may not follow.

Public hearing to be held on: HB 1670

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Monday, April 5, 2004, 11:00 a.m. Hearing Room 6.

Gene Carroll from St. Louis University will speak on SARS, etc.

JUDICIARY

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 1.

Informational discussion regarding Omnibus bill.

Public hearings to be held on: HB 1664, HB 1229, HB 1205, HB 1646, SB 781, SCS SB 980

Executive session will be held on: HB 965, SB 781

LOCAL GOVERNMENT

Thursday, April 1, 2004, 8:15 a.m. Hearing Room 6.

Continuation of hearing opponents only on HB 1446.

Public hearings to be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769

Executive session will be held on: SCS SB 952, SS SB 732, SCS SB 1062

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 924, HB 1044, HB 1619

Executive session may be held on: HB 837, HB 1464, HB 1522

SENIOR SECURITY

Tuesday, March 30, 2004, 5:00 p.m. Hearing Room 6.

Public hearing to be held on: HB 1562

Executive session may be held on: HCR 9, HB 1230

SMALL BUSINESS

Wednesday, March 31, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow

Public hearing to be held on: HB 1327

TAX POLICY

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 7.

Guest speaker - Dr. Lynn Reaser.

If time allows, discussion of subcommittee report will follow.

Executive session may follow.

TOURISM AND CULTURAL AFFAIRS

Tuesday, March 30, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1553, HB 1556, SCS SB 754

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1583, HB 1592, HB 1499, HB 1525, HB 1582, SCS SJR 44

Executive session may be held on: SCS SB 767, SB 770, SCS SB 1006

HOUSE CALENDAR

FORTY-THIRD DAY, TUESDAY, MARCH 30, 2004

HOUSE BILLS FOR SECOND READING

HB 1694 through HB 1697

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)
- 3 HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 1207 - Icet (84)
- 6 HCS HB 774 - Sander (22)
- 7 HCS HB 843, 880 & 1042 - Angst (146)
- 8 HCS HB 1099 - Reinhart (34)
- 9 HB 1424 - Stefanick (93)
- 10 HB 773 - Icet (84)
- 11 HB 1302 - Lager (4)
- 12 HCS HB 1453 - Hanaway (87)
- 13 HCS HB 1085 - Townley (112)
- 14 HCS HB 1195 - Behnen (2)
- 15 HB 1337 - Nieves (98)
- 16 HCS HB 1617 - Hanaway (87)
- 17 HCS HB 1511 - Byrd (94)
- 18 HB 1109 - Crawford (117)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1118 - Schlottach (111)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/16/04)

- 1 HB 1048 - Parker (12)
- 2 HCS HB 1069 - Bivins (97)

- 3 HCS HB 1090 - Bishop (38)
- 4 HB 1217 - Johnson (47)
- 5 HCS HB 1233 - Dixon (140)
- 6 HCS HB 1253 - Luetkemeyer (115)
- 7 HCS HB 1405 - Dougherty (53)
- 8 HB 1440 - Deeken (114)
- 9 HB 1444 - Moore (20)
- 10 HB 1445 - Mayer (159)
- 11 HB 1502 - Wilson (42)
- 12 HCS HB 1529 & 1655 - Lembke (85)
- 13 HB 1603 - Lager (4)
- 14 HCS HB 1631 & 1623 - Dixon (140)
- 15 HCS HB 1660 - Lager (4)

(3/17/04)

- 1 HB 1454 - Swinger (162)
- 2 HB 1462 - Bean, Jr. (163)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 855 - Holand (135)
- 2 HCS HB 1055 - Bruns (113)
- 3 HCS HB 1041, E.C. - Cunningham (86)
- 4 HCS HB 1074 & 1129 - Byrd (94)
- 5 HCS HB 1098 & 949 - Goodman (132)
- 6 HB 1504, E.C. - Lipke (157)
- 7 HB 869 - Townley (112)
- 8 HCS HB 988 - Yates (56)
- 9 HCS HB 1277, E.C. - Townley (112)
- 10 HCS HB 795, 972, 1128 & 1161 - Johnson (47)
- 11 HS HB 1193 - Self (116)
- 12 HCS HB 1152 - Wilson (130)
- 13 HB 1167 - Kelly (144)
- 14 HS HB 1487, E.C. - Self (116)
- 15 HCS HB 941 - Davis (122)
- 16 HB 1494 - Ervin (35)
- 17 HS HCS HB 978, (Budget 3-18-04) - Baker (123)
- 18 HB 1616 - Hanaway (87)
- 19 HCS HB 1278 - Luetkemeyer (115)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 884 - Ward (107)

3 HB 1029, HCA 1 - Henke (11)
4 HB 1114 - Skaggs (31)
5 HB 1142, HCA 1 - Daus (67)
6 HB 1223 - Ward (107)
7 HCS HB 1471 - Brooks (37)
8 HCS HB 1179 - Corcoran (77)
9 HCS HB 798 - Shoemaker (8)
10 HB 822 - Luetkemeyer (115)
11 HCS HB 1246 - Portwood (92)
12 HCS HB 1422 - Stefanick (93)
13 HB 1427 - Portwood (92)
14 HB 1364 - Bishop (38)
15 HB 1572 - St. Onge (88)
16 HB 1622 - Wasson (141)
17 HCS HB 928 - Bivins (97)
18 HB 970 - Portwood (92)
19 HCS HB 1123 - Smith (14)
20 HCS HB 1201 - Dusenberg (54)
21 HCS HB 1280 - Kingery (154)
22 HCS HB 1284 - Engler (106)
23 HB 1438 - Ward (107)
24 HB 1442 - Lipke (157)
25 HCS HB 1449 - Bruns (113)
26 HB 1489 - Barnitz (150)
27 HB 1508 - Baker (123)
28 HB 1575 - Mayer (159)
29 HB 1493 - Emery (126)
30 HB 1407 - Mayer (159)
31 HB 1362, HCA 1 - Hobbs (21)
32 HB 1377 - Sutherland (99)
33 HCS HB 1321 - Schaaf (28)
34 HB 1608 - Dougherty (53)
35 HB 1635 - Salva (51)
36 HB 1612 - Bringer (6)
37 HB 1634 - Behnen (2)
38 HCS HB 1524 - Ransdall (148)
39 HCS HB 1614 - Holand (135)
40 HB 1604 - Bean, Jr. (163)
41 HB 1610 - Ward (107)
42 HB 1613, E.C. - Morris (138)

SENATE BILLS FOR SECOND READING

1 SCS SB 771
2 SB 772

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3	SCS SB 799
4	SB 1047
5	SB 1083
6	SCS SB 1084
7	SCS SB 1093
8	SB 1165
9	SCS SB 1235
10	SCS SB 1262
11	SB 1274
12	SB 1299

SENATE BILL FOR THIRD READING

HCS SB 1080 - Wallace (143)

BILLS IN CONFERENCE

1	HS HCS SS SCS SB 730, as amended - Portwood (92)
2	SCS HCS HB 1014, as amended - Bearden (16)
3	HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-THIRD DAY, TUESDAY, MARCH 30, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Let us pray,

Give thanks to the Lord, invoke His name;
Make known among the nations His deeds.
Sing to Him; sing His praise,
Proclaim all His wondrous deeds.
Glory in His Holy name;
Rejoice, O hearts that seek the Lord!
Look to the Lord in His strength;
Seek to serve Him constantly.
(*Psalms 105:1-4*)

Lord our God, we look to You. From the abundance of Your strength, give us strength today, that we might do what is right and cause justice to increase everywhere.

Today, we seek to serve Your people with such purity of heart that in serving them we serve You.

We pray to You our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Michael H. Krekel, Justin Johnson, C. T. Kaut, Wade Marriott, Nick Cooper, Lexi Greathouse, Peyton Greathouse, Kayla Glenn, Nathan Ward, Charles Portwood II, Anna Uhlitz, Hanna Butkevych, Kam Oliddin, Luca Bertani, Etsuko Abe, Lena Pysareva, Kerry Burton and Terri Crane.

The Journal of the forty-second day was approved as corrected.

SPECIAL RECOGNITION

Erin Berry was introduced by Representative Bough and recognized as an Outstanding Missouri Student.

Dereck Raines was introduced by Representative Whorton and recognized as an Outstanding Missouri Student.

Herbert Buckallew was introduced by Representative Munzlinger and recognized as an Outstanding Missourian.

Speaker Pro Tem Jetton assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1317 - Representative Lager
House Resolution No. 1318 - Representative Shoemyer
House Resolution No. 1319
through
House Resolution No. 1322 - Representative Walker
House Resolution No. 1323
and
House Resolution No. 1324 - Representative Sutherland
House Resolution No. 1325 - Representative Skaggs

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1698, introduced by Representatives Guest, Sutherland, Yates, May, Whorton, Cunningham (86), Wilson (119) and Davis (122), relating to drivers' licenses.

HB 1699, introduced by Representative Shoemaker, relating to the Korean Conflict Medallion Program.

SECOND READING OF HOUSE BILLS

HB 1694 through **HB 1697** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 771, SB 772, SCS SB 799, SB 1047, SB 1083, SCS SB 1084, SCS SB 1093, SB 1165, SCS SB 1235, SCS SB 1262, SB 1274 and SB 1299 were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 35, relating to fish, wildlife and forestry resources, was taken up by Representative Dethrow.

Representative Dethrow offered **HS HCS HJR 35**.

Representative Kingery assumed the Chair.

Representative Fraser offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Joint Resolution 35, Page 1, Line 7 of the “be it resolved clause”, by inserting after the word “adoption” the following:

“by a two thirds majority”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fraser moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 067

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	Graham	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng

Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Boykins	George	Green	Hampton
Hubbard	Jetton	Mayer	Townley	Willoughby

On motion of Representative Dethrow, **HS HCS HJR 35** was adopted.

On motion of Representative Dethrow, **HS HCS HJR 35** was ordered perfected and printed.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HS HCS HB 978 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1326 - Representative Wilson (119)
House Resolution No. 1327 - Representative Hunter
House Resolution No. 1328 - Representative Pratt
House Resolution No. 1329 - Representative Whorton
House Resolution No. 1330 - Representative Bough
House Resolution No. 1331
and
House Resolution No. 1332 - Representative Swinger
House Resolution No. 1333
through
House Resolution No. 1337 - Representative Lager
House Resolution No. 1338
through
House Resolution No. 1346 - Representative Wilson (119)

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1700, introduced by Representatives Riback Wilson (25), Bland, Wilson (42), Sanders Brooks and Johnson (61), relating to the criminal justice system.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 798, relating to court surcharges, was taken up by Representative Shoemaker.

On motion of Representative Shoemaker, **HCS HB 798** was adopted.

On motion of Representative Shoemaker, **HCS HB 798** was read the third time and passed by the following vote:

AYES: 146

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lipke	Luetkemeyer	Marsh	Mayer
McKenna	Meadows	Meiners	Miller	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

El-Amin

PRESENT: 007

Harris 23	Johnson 90	Lembke	LeVota	Lowe
Thompson	Whorton			

ABSENT WITH LEAVE: 009

Avery	George	Hampton	Hubbard	Kelly 144
Liese	May	Moore	Walton	

Speaker Hanaway declared the bill passed.

HB 822, relating to amateur radio antenna regulations, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HB 822** was read the third time and passed by the following vote:

AYES: 145

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	Goodman
Graham	Green	Guest	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Ward	Wasson	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wasson	Witte	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 008

Darrough	Daus	Harris 110	Salva	Schoemehl
Walsh	Wildberger	Yaeger		

PRESENT: 004

Johnson 61	Johnson 90	Lowe	Whorton
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ABSENT WITH LEAVE: 006

Avery	George	Hampton	Hubbard	Lawson
Walton				

Speaker Hanaway declared the bill passed.

HCS HB 1246, relating to chiropractors, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HB 1246** was adopted.

On motion of Representative Portwood, **HCS HB 1246** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 010

Avery	George	Hampton	Hoskins	Hubbard
Luetkemeyer	Rupp	Smith 118	Townley	Walton

Speaker Hanaway declared the bill passed.

HCS HB 1422, relating to sedation dentistry, was taken up by Representative Stefanick.

On motion of Representative Stefanick, **HCS HB 1422** was adopted.

On motion of Representative Stefanick, **HCS HB 1422** was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 002

Johnson 61 Johnson 90

ABSENT WITH LEAVE: 006

Avery George Hampton Hubbard Kratky
Walton

Speaker Hanaway declared the bill passed.

HB 1427, relating to controlled substances, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 1427** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 002

El-Amin Johnson 90

ABSENT WITH LEAVE: 009

Avery	George	Hampton	Hubbard	Lowe
Morris	Reinhart	Smith 118	Walton	

Speaker Hanaway declared the bill passed.

HB 1572, relating to certification procedures, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 1572** was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Salva

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 006

Avery	George	Hampton	Hubbard	Smith 118
Walton				

Speaker Hanaway declared the bill passed.

HB 1622, relating to cosmetology, was taken up by Representative Wasson.

On motion of Representative Wasson, **HB 1622** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Hoskins	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 010

Avery	Dethrow	George	Hampton	Holand
Hubbard	Moore	Reinhart	Smith 118	Walton

Speaker Hanaway declared the bill passed.

HCS HB 928, relating to intermediate driver's licenses, was taken up by Representative Bivins.

On motion of Representative Bivins, **HCS HB 928** was adopted.

On motion of Representative Bivins, **HCS HB 928** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 002

Johnson 90 LeVota

ABSENT WITH LEAVE: 007

Avery	Brooks	George	Hampton	Hubbard
Johnson 47	Walton			

Speaker Hanaway declared the bill passed.

HB 970, relating to dentist and dental hygienist licensing, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 970** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 008

Avery	Brooks	George	Hampton	Hubbard
Hunter	Wagner	Walton		

Speaker Hanaway declared the bill passed.

HCS HB 1123, relating to specialized license plates, was taken up by Representative Smith (14).

On motion of Representative Smith (14), **HCS HB 1123** was adopted.

On motion of Representative Smith (14), **HCS HB 1123** was read the third time and passed by the following vote:

AYES: 145

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Walker
Wallace	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 011

Cunningham 86	Hoskins	Lawson	LeVota	Lowe
Sander	Vogt	Walsh	Ward	Whorton
Wilson 130				

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 006

Avery	George	Hampton	Hubbard	Hunter
Walton				

Speaker Hanaway declared the bill passed.

Representative St. Onge assumed the Chair.

HCS HB 1201, relating to disposal of damaged vehicles, was taken up by Representative Dusenberg.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wilson 42	Wood	Wright	Yates	Madam Speaker

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	Graham
Green	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	George	Hampton	Hubbard	Walton
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Speaker Hanaway resumed the Chair.

On motion of Representative Dusenberg, **HCS HB 1201** was adopted.

On motion of Representative Dusenberg, **HCS HB 1201** was read the third time and passed by the following vote:

AYES: 129

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Byrd	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Graham	Green
Guest	Harris 23	Henke	Hilgemann	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Wallace
Walsh	Wasson	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yates	Young	Zweifel	Madam Speaker	

NOES: 029

Barnitz	Bringer	Burnett	Campbell	Corcoran
Darrough	Donnelly	El-Amin	Fraser	Harris 110
Haywood	Hoskins	Johnson 47	Johnson 61	Johnson 90
Lawson	Liese	Lowe	Muckler	Ransdall
Sager	Shoemyer	Spreng	Vogt	Walker
Ward	Whorton	Wildberger	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	George	Hampton	Hubbard	Walton
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Speaker Hanaway declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 739: Representatives Myers, Sander, Bean, Bringer and Whorton

Representative St. Onge resumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 1280, relating to commercial motor vehicle registrations, was taken up by Representative Kingery.

On motion of Representative Kingery, **HCS HB 1280** was adopted.

On motion of Representative Kingery, **HCS HB 1280** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 006

Avery	George	Hampton	Hubbard	Myers
Walton				

Representative St. Onge declared the bill passed.

HCS HB 1284, relating to salvage motor vehicles, was taken up by Representative Engler.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	Graham
Green	Harris 110	Harris 23	Haywood	Henke
Hoskins	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	George	Hampton	Hilgemann	Hubbard
Walton				

On motion of Representative Engler, **HCS HB 1284** was adopted.

On motion of Representative Engler, **HCS HB 1284** was read the third time and passed by the following vote:

AYES: 138

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Brooks	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Graham	Green	Harris 23	Haywood
Henke	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 015

Boykins	Bringer	Burnett	Donnelly	El-Amin
Fraser	Harris 110	Hoskins	Lawson	Selby
Smith 118	Ward	Whorton	Wilson 25	Witte

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 009

Avery	George	Guest	Hampton	Hilgemann
Hubbard	Marsh	McKenna	Walton	

Representative St. Onge declared the bill passed.

Representative Kingery resumed the Chair.

HB 1442, relating to a memorial highway, was taken up by Representative Lipke.

On motion of Representative Lipke, **HB 1442** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curts	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	Meadows	Meiners	Miller
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 008

Avery	George	Hampton	Hubbard	Marsh
McKenna	Moore	Walton		

Representative Kingery declared the bill passed.

HCS HB 1449, relating to special license plates, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS HB 1449** was adopted.

On motion of Representative Bruns, **HCS HB 1449** was read the third time and passed by the following vote:

AYES: 140

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	El-Amin	Engler	Ervin	Fares
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Young	Zweifel	Madam Speaker

NOES: 013

Barnitz	Campbell	Donnelly	Dusenberg	Emery
Fraser	Hoskins	Smith 118	Vogt	Walker
Wilson 25	Yaeger	Yates		

PRESENT: 002

Johnson 61 Johnson 90

ABSENT WITH LEAVE: 008

Avery	George	Hampton	Hubbard	Lager
Marsh	McKenna	Walton		

Representative Kingery declared the bill passed.

HB 1489, relating to all-terrain vehicles, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HB 1489** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 008

Avery	George	Hampton	Hubbard	Marsh
McKenna	Rupp	Walton		

Representative Kingery declared the bill passed.

HB 1508, relating to the Chiefs' Childrens Fund, was taken up by Representative Baker.

On motion of Representative Baker, **HB 1508** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 002

Johnson 61 Whorton

ABSENT WITH LEAVE: 009

Avery	Brooks	George	Hampton	Hubbard
Marsh	McKenna	Rupp	Walton	

Representative Kingery declared the bill passed.

HB 1575, relating to republication of sections in statute, was taken up by Representative Mayer.

On motion of Representative Mayer, **HB 1575** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 010

Avery	Brooks	George	Hampton	Hubbard
Marsh	McKenna	Rupp	Thompson	Walton

Representative Kingery declared the bill passed.

HB 1493, relating to water and electric territorial agreement, was taken up by Representative Emery.

On motion of Representative Emery, **HB 1493** was read the third time and passed by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 011

Avery	Boykins	George	Hampton	Hubbard
Marsh	McKenna	Meadows	Rupp	Thompson
Walton				

Representative Kingery declared the bill passed.

HB 1407, relating to municipal code violations, was taken up by Representative Mayer.

On motion of Representative Mayer, **HB 1407** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 001

Johnson 90

ABSENT WITH LEAVE: 008

Avery	Brooks	George	Hampton	Hubbard
Hunter	Wagner	Walton		

Representative Kingery declared the bill passed.

HB 1362, with House Committee Amendment No. 1, relating to subdivision regulation, was taken up by Representative Hobbs.

On motion of Representative Hobbs, **House Committee Amendment No. 1** was adopted.

On motion of Representative Hobbs, **HB 1362, as amended**, was read the third time and passed by the following vote:

AYES: 145

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Goodman	Graham	Green	Guest
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 005

Donnelly	Harris 110	Johnson 90	Walker	Yaeger
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PRESENT: 001

Fraser

ABSENT WITH LEAVE: 012

Avery	Boykins	Bruns	Dixon	George
Hampton	Hubbard	Marsh	McKenna	Rupp
Thompson	Walton			

Representative Kingery declared the bill passed.

Representative Cooper (120) assumed the Chair.

HB 1377, relating to county planning commissions, was taken up by Representative Sutherland.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 064

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Daus	Davis 122	Donnelly	El-Amin
Fraser	Graham	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Villa
Vogt	Wagner	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Boykins	Darrough	George	Hampton
Hubbard	Marsh	McKenna	Rupp	Thompson
Walton				

On motion of Representative Sutherland, **HB 1377** was read the third time and passed by the following vote:

AYES: 123

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86

Daus	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Graham	Guest
Hilgemann	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Jones
Kelly 144	King	Kingery	Kratky	Lager
Lembke	LeVota	Lipke	Luetkemeyer	May
Mayer	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Sager	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Wasson	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yates
Young	Zweifel	Madam Speaker		

NOES: 029

Burnett	Carnahan	Curls	Davis 122	Donnelly
El-Amin	Fraser	Green	Harris 110	Harris 23
Haywood	Henke	Hoskins	Johnson 90	Jolly
Kelly 36	Kuessner	Lawson	Liese	Lowe
Meadows	Page	Salva	Seigfreid	Ward
Whorton	Wildberger	Wilson 25	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Boykins	Darrough	George	Hampton
Hubbard	Marsh	McKenna	Rupp	Thompson
Walton				

Representative Cooper (120) declared the bill passed.

HCS HB 1321, relating to neighborhood improvement districts, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS HB 1321** was adopted.

On motion of Representative Schaaf, **HCS HB 1321** was read the third time and passed by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell

Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Sager	Salva
Sander	Schaaf	Schlottach	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 002

Johnson 90 Walker

ABSENT WITH LEAVE: 013

Avery	Boykins	George	Hampton	Hubbard
Lowe	Marsh	McKenna	Rupp	Schneider
Thompson	Walton	Wasson		

Representative Cooper (120) declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1278 - Budget (Fiscal Note)

HB 1671 - Special Committee on General Laws

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS SCS SB 1122**, entitled:

An act to repeal sections 332.051, 332.071, 332.081, 332.111, 332.121, and 334.100, RSMo, and to enact in lieu thereof seven new sections relating to professional licensing, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1259**, entitled:

An act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to temporary boater education permits, with a termination date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1296**, entitled:

An act to authorize the sale of certain state property.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1302**, entitled:

An act relating to authorizing the board of governors of Southwest Missouri State University to convey property in Springfield, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1304**, entitled:

An act relating to reimbursement from the special allocation fund for emergency services.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 739, as amended**: Senators Klindt, Steelman, Cauthorn, Kennedy and Caskey.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS SCS SB 715**, entitled:

An act to repeal sections 48.020, 48.030, 49.272, 50.343, 50.550, 50.740, 64.215, 64.825, 67.402, 67.793, 67.799, 67.1706, 67.1754, 89.410, 115.124, 137.720, 190.044, 190.050, 190.051, 190.092, 190.094, 190.100, 190.101, 190.105, 190.108, 190.109, 190.120, 190.131, 190.133, 190.142, 190.143, 190.146, 190.160, 190.165, 190.171, 190.172, 190.175, 190.185, 190.196, 190.246, 190.248, 190.250, 190.300, 190.305, 190.310, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 190.525, 190.528, 190.531, 190.534, 190.537, 191.630, 191.631, 221.070, 229.340, 247.040, 250.140, 260.830, 260.831, 304.010, 321.130, 321.180, 321.552, 321.554, 321.556, 393.015,

393.760, 479.020, 488.447, 488.2275, 488.5026, 559.021, 589.400, 650.320, 650.330, 701.304, 701.308, 701.309, 701.311, 701.312, 701.320, 701.336, and 701.342, RSMo, and to enact in lieu thereof one hundred four new sections relating to counties, with penalty provisions, an emergency clause for certain sections, and an expiration date for a certain section.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 988**, entitled:

An act to repeal sections 260.200, 260.270, 260.272, 260.273, 260.274, 260.275, 260.276, 260.278, and 260.342, RSMo, and to enact in lieu thereof nine new sections relating to scrap tires, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, March 31, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Dan Ward, District 107, hereby state and affirm that I was present during the session of the House of Representatives on Monday, March 29, 2004 and that the House Journal inaccurately reflects my absence. Pursuant to House Rule 88, I ask that the Journal be corrected to note my presence in the House Journal for Monday, March 29, 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 30th day of March 2004.

/s/ Dan Ward
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 30th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Michael Corcoran, District 77, hereby state and affirm that my vote as recorded on Page 777 of the House Journal for Monday, March 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 30th day of March 2004.

/s/ Michael Corcoran
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 30th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Michael Spreng, District 76, hereby state and affirm that my vote as recorded on Page 777 of the House Journal for Monday, March 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 30th day of March 2004.

/s/ Michael Spreng
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 30th day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Thursday, April 1, 2004, 8:00 a.m. Hearing Room 4.

Executive session will be held on: SS SCS SBs 740, 886 & 1178

BUDGET

Wednesday, March 31, 2004, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Committee will hear other bills assigned or referred for fiscal review.

Fiscal Review HB 1548, HB 1599, HB 1278. AMENDED

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CHILDREN AND FAMILIES

Tuesday, April 6, 2004, Hearing Room 1 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1339, HB 1263, SJR 29

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1567, HB 1602, HB 1609

FINANCIAL SERVICES

Thursday, April 1, 2004, 9:30 a.m. House Chamber side gallery.

Executive session will be held on: HB 1231, HB 1509, HB 1665

HEALTH CARE POLICY

Wednesday, March 31, 2004, 8:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1318, HB 1647

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 6.

Public hearings to be held on: HB 1181

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Monday, April 5, 2004, 11:00 a.m. Hearing Room 6.

Gene Carroll from St. Louis University will speak on SARS, etc.

JUDICIARY

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 1.

Informational discussion regarding Omnibus bill.

Public hearings to be held on: HB 1664, HB 1229, HB 1205, HB 1646, SB 781, SCS SB 980

Executive session will be held on: HB 965, SB 781

LOCAL GOVERNMENT

Thursday, April 1, 2004, 8:15 a.m. Hearing Room 6.

Continuation of hearing opponents only on HB 1446.

Public hearings to be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769

Executive session will be held on: SCS SB 952, SS SB 732, SCS SB 1062

RETIREMENT

Thursday, April 1, 2004, House Chamber side gallery upon morning adjournment.

Executive session.

Public hearings to be held on: HB 1480

RULES

Thursday, April 1, 2004, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HJR 50, HR 263

SMALL BUSINESS

Wednesday, March 31, 2004, Hearing Room 4 upon morning adjournment

Executive session may follow

Public hearings to be held on: HB 1327

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1583, HB 1592, HB 1499, HB 1525, HB 1582, SCS SJR 44

Executive session may be held on: SCS SB 767, SB 770, SCS SB 1006

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 31, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 885

HOUSE CALENDAR

FORTY-FOURTH DAY, WEDNESDAY, MARCH 31, 2004

HOUSE BILLS FOR SECOND READING

HB 1698 through HB 1700

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 28 - Roark (139)
- 2 HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 1207 - Icet (84)
- 6 HCS HB 774 - Sander (22)
- 7 HCS HB 843, 880 & 1042 - Angst (146)
- 8 HCS HB 1099 - Reinhart (34)
- 9 HB 1424 - Stefanick (93)
- 10 HB 773 - Icet (84)
- 11 HB 1302 - Lager (4)
- 12 HCS HB 1453 - Hanaway (87)
- 13 HCS HB 1085 - Townley (112)
- 14 HCS HB 1195 - Behnen (2)
- 15 HB 1337 - Nieves (98)
- 16 HCS HB 1617 - Hanaway (87)

17 HCS HB 1511 - Byrd (94)

18 HB 1109 - Crawford (117)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 1118 - Schlottach (111)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/17/04)

1 HB 1454 - Swinger (162)

2 HB 1462 - Bean, Jr. (163)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 35 - Dethrow (153)

HOUSE BILLS FOR THIRD READING

1 HCS HB 855 - Holand (135)

2 HCS HB 1055 - Bruns (113)

3 HCS HB 1041, E.C. - Cunningham (86)

4 HCS HB 1074 & 1129 - Byrd (94)

5 HCS HB 1098 & 949 - Goodman (132)

6 HB 1504, E.C. - Lipke (157)

7 HB 869 - Townley (112)

8 HCS HB 988 - Yates (56)

9 HCS HB 1277, E.C. - Townley (112)

10 HCS HB 795, 972, 1128 & 1161 - Johnson (47)

11 HS HB 1193 - Self (116)

12 HCS HB 1152 - Wilson (130)

13 HB 1167 - Kelly (144)

14 HS HB 1487, E.C. - Self (116)

15 HCS HB 941 - Davis (122)

16 HB 1494 - Ervin (35)

17 HS HCS HB 978 - Baker (123)

18 HB 1616 - Hanaway (87)

19 HCS HB 1278, (Budget 3-30-04) - Luetkemeyer (115)

HOUSE BILLS FOR THIRD READING - CONSENT

1 HCS HB 883 - Graham (24)

2 HB 884 - Ward (107)

3 HB 1029, HCA 1 - Henke (11)

4 HB 1114 - Skaggs (31)

- 5 HB 1142, HCA 1 - Daus (67)
- 6 HB 1223 - Ward (107)
- 7 HCS HB 1471 - Brooks (37)
- 8 HCS HB 1179 - Corcoran (77)
- 9 HB 1364 - Bishop (38)
- 10 HB 1438 - Ward (107)
- 11 HB 1608 - Dougherty (53)
- 12 HB 1635 - Salva (51)
- 13 HB 1612 - Bringer (6)
- 14 HB 1634 - Behnen (2)
- 15 HCS HB 1524 - Ransdall (148)
- 16 HCS HB 1614 - Holand (135)
- 17 HB 1604 - Bean, Jr. (163)
- 18 HB 1610 - Ward (107)
- 19 HB 1613, E.C. - Morris (138)
- 20 HB 1048 - Parker (12)
- 21 HCS HB 1069 - Bivins (97)
- 22 HCS HB 1090 - Bishop (38)
- 23 HB 1217 - Johnson (47)
- 24 HCS HB 1233 - Dixon (140)
- 25 HCS HB 1253 - Luetkemeyer (115)
- 26 HCS HB 1405 - Dougherty (53)
- 27 HB 1440 - Deeken (114)
- 28 HB 1444 - Moore (20)
- 29 HB 1445 - Mayer (159)
- 30 HB 1502 - Wilson (42)
- 31 HCS HB 1529 & 1655 - Lembke (85)
- 32 HB 1603 - Lager (4)
- 33 HCS HB 1631 & 1623 - Dixon (140)
- 34 HCS HB 1660 - Lager (4)

SENATE BILLS FOR SECOND READING

- 1 SS SS SCS SB 715
- 2 SCS SB 988
- 3 SS SS SCS SB 1122
- 4 SB 1259
- 5 SB 1296
- 6 SB 1302
- 7 SCS SB 1304

SENATE BILL FOR THIRD READING

- HCS SB 1080 - Wallace (143)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 SCS HCS HB 1014, as amended - Bearden (16)
- 3 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-FOURTH DAY, WEDNESDAY, MARCH 31, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we are encouraged by Your Word which states, "As a face is reflected in water, so the heart reflects the person." May our hearts, this day, reflect integrity, honesty, and uprightness in Your sight.

May none find occasion for fault in the way we handle our affairs, but may we be found faithful, grateful and responsible.

Pour forth the light of Your love and may we experience countless blessings as we seek to do Your will.

To You be the glory, both now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexandra E. Dalton, P. Chandler Dalton, Erin Mikel, Alexa Mikel and Ross Mikel.

The Journal of the forty-third day was approved as corrected.

SPECIAL RECOGNITION

Dr. Cecelia McBride Robinson was introduced by Representative Reinhart and recognized as an Outstanding Missourian.

Representative Goodman assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1347 - Representative Crawford
House Resolution No. 1348 - Representative Crowell
House Resolution No. 1349 - Representative Black

House Resolution No. 1350
through
House Resolution No. 1354 - Representative Phillips
House Resolution No. 1355
through
House Resolution No. 1358 - Representative Kingery
House Resolution No. 1359
through
House Resolution No. 1361 - Representative Johnson (61)
House Resolution No. 1362 - Representative Pearce
House Resolution No. 1363
and
House Resolution No. 1364 - Representative Viebrock
House Resolution No. 1365 - Representative Schaaf

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1701, introduced by Representative Purgason, relating to an income tax exemption for military service personnel.

HB 1702, introduced by Representatives Thompson, Jetton, Hoskins, Crowell, El-Amin, Bearden, Hubbard, Dempsey, Villa, Wright, Hilgemann, Parker, Kratky, Hunter, Corcoran, Cooper (120), Kelly (36), Behnen, Dougherty, Byrd, Green, Reinhart, Meiners, Pratt, Meadows, Crawford, Hanaway, Seigfreid, Stevenson, Spreng, Cunningham (86), McKenna, Stefanick, Harris (110), Schoemehl, Purgason, Miller, Rupp, Moore, Yates, Luetkemeyer, Phillips, Wilson (130), Smith (118), Rector, Nieves, Jackson, Davis (19), Schaaf, Quinn, Hobbs, Schlottach, Deeken, Ruestman, Brown, Henke, Liese, Walsh, Cooper (155), Icet, Mayer, Self, Bivins, Shoemaker, Myers, Roark, Goodman, Bruns, Holand, Schneider, Dusenberg, Lipke, Taylor, Guest, Johnson (61), Muckler, Morris, Richard, Threlkeld, Kelly (144), Sutherland, Angst, Dethrow, King, Kingery, Lembke, Emery, Wood, Wilson (119), Dixon, Cunningham (145), May, St. Onge, Portwood and Marsh, relating to a tax credit for certain education-related charitable donations.

SECOND READING OF HOUSE BILLS

HB 1698 through **HB 1700** were read the second time.

SECOND READING OF SENATE BILLS

SS SS SCS SB 715, SCS SB 988, SS SS SCS SB 1122, SB 1259, SB 1296, SB 1302 and **SCS SB 1304** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 39, 38, 42 & 47, relating to same-sex marriages, was taken up by Representative Engler.

Representative Engler offered **HS HCS HJR 39, 38, 42 & 47**.

Representative Byrd offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Joint Resolution Nos. 39, 38, 42 & 47, Page 2, Section 33, Line 3, by deleting all of said line and inserting in lieu thereof the following:

“relationship of any union other than a union of one man and one woman that is treated as a marriage”.

Representative Johnson (90) offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Crowell raised point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not germane and goes beyond the scope of the underlying bill and the amendment.

Representative Goodman requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

HCS HJR 39, 38, 42 & 47, with HS, as amended, pending, was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Goodman.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mackenzie Avalos, Michael Cross and Tracy Wuelling.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1366 - Representative Kingery
House Resolution No. 1367 - Representative Pearce
House Resolution No. 1368 - Representative LeVota

House Resolution No. 1369

through

House Resolution No. 1372 - Representative Campbell

House Resolution No. 1373 - Representative St. Onge

House Resolution No. 1374 - Representative Burnett, et al

House Resolution No. 1375 - Representative Kelly (144)

House Resolution No. 1376 - Representative Lipke

House Resolution No. 1377

through

House Resolution No. 1379 - Representative Pratt

House Resolution No. 1380 - Representative Villa

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 55, introduced by Representative Parker, relating to the distribution of moneys.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1703, introduced by Representatives Cooper (120) and Luetkemeyer, relating to state and local bonds.

HB 1704, introduced by Representatives Stevenson and Purgason, relating to child custody.

HB 1705, introduced by Representatives Hunter and Stevenson, relating to racetrack nuisance actions.

HB 1706, introduced by Representatives Davis (19), Schneider, Threlkeld, Rupp, Parker and Smith (14), relating to a tax credit for volunteers in public schools.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 1278 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJRs 39, 38, 42 & 47, with HS, as amended, pending, relating to same-sex marriages, was again taken up by Representative Engler.

Representative Skaggs offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Joint Resolutions Nos. 39, 38, 42 & 47, Page 1, Line 4 of the referendum clause, by inserting after the word “purpose,” the following:

“with a recommendation that the governor submit the amendment on this August ballot,”.

Speaker Pro Tem Jetton assumed the Chair.

Representative Goodman resumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

Representative Skaggs moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jones	Kelly 144	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Young	Zweifel

NOES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock

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Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 004

Avery	Hampton	Jolly	Yaeger
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On motion of Representative Engler, **HS HCS HJR 39, 38, 42 & 47, as amended**, was adopted by the following vote:

AYES: 134

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
George	Goodman	Green	Guest	Harris 110
Haywood	Henke	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 90
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Wagner	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yates	Young	Zweifel	Madam Speaker	

NOES: 023

Burnett	Campbell	Carnahan	Corcoran	Curls
Daus	Donnelly	Dougherty	Fraser	Graham
Harris 23	Hilgemann	Hoskins	Hubbard	Johnson 61
Jones	Lowe	Sager	Villa	Vogt
Walker	Wilson 25	Wilson 42		

PRESENT: 002

Boykins	Brooks
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ABSENT WITH LEAVE: 004

Avery Hampton Jolly Yaeger

On motion of Representative Engler, **HS HCS HJR 39, 38, 42 & 47, as amended**, was ordered perfected and printed.

Representative Goodman resumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 855, relating to health insurance, was taken up by Representative Holand.

On motion of Representative Holand, **HCS HB 855** was read the third time and passed by the following vote:

AYES: 115

Abel	Baker	Barnitz	Behnen	Bishop
Black	Bland	Bringer	Brooks	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Cunningham 86	Curls
Darrough	Daus	Davis 122	Deeken	Dempsey
Dixon	Donnelly	Dougherty	El-Amin	Engler
Fares	Fraser	George	Goodman	Graham
Green	Guest	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Holand	Hoskins	Hubbard
Jackson	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	Kingery	Kratky	Kuessner
Lawson	Lembke	LeVota	Liese	Lowe
May	Meadows	Meiners	Miller	Moore
Muckler	Munzlinger	Page	Parker	Portwood
Quinn	Ransdall	Reinhart	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 130	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	Madam Speaker

NOES: 041

Angst	Bean	Bivins	Bough	Brown
Crowell	Cunningham 145	Davis 19	Dethrow	Dusenberg
Emery	Ervin	Hobbs	Hunter	Icet
Jetton	Johnson 47	King	Lager	Lipke
Luetkemeyer	Marsh	Mayer	Morris	Myers
Nieves	Pearce	Phillips	Pratt	Purgason
Rector	Richard	Roark	Shoemaker	St. Onge
Stevenson	Townley	Wilson 119	Wood	Wright
Yates				

PRESENT: 002

Viebrock Wallace

ABSENT WITH LEAVE: 005

Avery Bearden Boykins Hampton McKenna

Representative Goodman declared the bill passed.

Representative Fraser requested a verification of the roll call on the motion to third read and pass **HCS HB 855**.

HCS HB 1055, relating to sexual offenses, was taken up by Representative Bruns.

Representative Bruns offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1055, Section 566.083, Page 2, Line 19, by inserting immediately after the term “**chapter 566**” the following:

“[; except that the second or any subsequent violation of this section] **RSMo, if it had been committed in this state, in which case it** is a class C felony”.

On motion of Representative Bruns, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Bruns, **HCS HB 1055, as amended**, was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart

Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Hoskins Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Dempsey Hampton

Representative Goodman declared the bill passed.

Speaker Hanaway resumed the Chair.

HCS HB 1041, relating to school personnel, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS HB 1041** was read the third time and passed by the following vote:

AYES: 125

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Bough	Bringer
Brooks	Brown	Bruns	Byrd	Campbell
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Johnson 47	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Wagner

Walker	Wallace	Walsh	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yates	Zweifel	Madam Speaker

NOES: 033

Bishop	Bland	Boykins	Burnett	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly
Fraser	Graham	Green	Haywood	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	LeVota
Liese	Lowe	Muckler	Sager	Schoemehl
Shoemyer	Vogt	Walton	Wildberger	Wilson 25
Wilson 42	Yaeger	Young		

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Black	Hampton	Stefanick	Thompson
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Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Bringer	Brooks	Brown	Bruns	Byrd
Campbell	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Guest	Harris 110
Henke	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Willoughby	Wilson 119
Wilson 130	Witte	Wood	Wright	Yates
Madam Speaker				

NOES: 035

Bishop	Bland	Boykins	Burnett	Carnahan
Curls	Daus	Donnelly	El-Amin	Fraser

Graham	Green	Harris 23	Haywood	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jones
LeVota	Lowe	Muckler	Sager	Shoemyer
Skaggs	Vogt	Walker	Whorton	Wildberger
Wilson 25	Wilson 42	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Hampton

HCS HBs 1074 & 1129, relating to cross burning, was taken up by Representative Byrd.

On motion of Representative Byrd, **HCS HBs 1074 & 1129** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Dougherty

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery

Hampton

Speaker Hanaway declared the bill passed.

Representative Ransdall assumed the Chair.

HCS HBs 1098 & 949, relating to inaugural committees, was taken up by Representative Goodman.

On motion of Representative Goodman, **HCS HBs 1098 & 949** was read the third time and passed by the following vote:

AYES: 143

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 23	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Willoughby	Wilson 119	Wilson 130
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 016

Brooks	Burnett	Curls	Daus	Harris 110
Haywood	Henke	Hoskins	Liese	Sager
Selby	Thompson	Whorton	Wildberger	Wilson 25
Wilson 42				

PRESENT: 002

El-Amin Lowe

ABSENT WITH LEAVE: 002

Avery Hampton

Representative Ransdall declared the bill passed.

HB 1504, relating to highway access, was taken up by Representative Lipke.

On motion of Representative Lipke, **HB 1504** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Swinger

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Hampton

Representative Ransdall declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Guest	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Ward	Wasson	Willoughby	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Young	Zweifel	Madam Speaker		

NOES: 026

Burnett	Curls	Darrough	Donnelly	Fraser
Green	Harris 110	Harris 23	Haywood	Henke
Hoskins	Johnson 90	LeVota	Lowe	Muckler
Sager	Shoemyer	Skaggs	Swinger	Walker
Walsh	Whorton	Wildberger	Wilson 25	Witte
Yaeger				

PRESENT: 002

Brooks El-Amin

ABSENT WITH LEAVE: 002

Avery Hampton

HB 869, relating to veterinarians, was taken up by Representative Townley.

On motion of Representative Townley, **HB 869** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Hampton

Representative Ransdall declared the bill passed.

HCS HB 988, relating to county political party committees, was taken up by Representative Yates.

On motion of Representative Yates, **HCS HB 988** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Wallace Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Hampton

Representative Ransdall declared the bill passed.

HCS HB 1277, relating to hazardous waste management, was taken up by Representative Townley.

On motion of Representative Townley, **HCS HB 1277** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Bland	Hampton
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Representative Ransdall declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery

Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Iceet	Jackson
Jetton	Johnson 47	Johnson 61	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Wood	Wright	Yates
Zweifel	Madam Speaker			

NOES: 007

Burnett	Harris 23	Johnson 90	Jolly	Witte
Yaeger	Young			

PRESENT: 002

Curls	Meadows
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ABSENT WITH LEAVE: 002

Avery	Hampton
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HCS HBs 795, 972, 1128 & 1161, relating to county government, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HCS HBs 795, 972, 1128 & 1161** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann

Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Dethrow Kuessner

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Hampton

Representative Ransdall declared the bill passed.

HS HB 1193, relating to notaries public, was taken up by Representative Self.

On motion of Representative Self, **HS HB 1193** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner

Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Walton

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Hampton

Representative Ransdall declared the bill passed.

HCS HB 1152, relating to terrorism, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HCS HB 1152** was read the third time and passed by the following vote:

AYES: 144

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector

Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walton
Ward	Wasson	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 015

Brooks	Darrough	Donnelly	Dougherty	El-Amin
Fraser	Haywood	Henke	Hilgemann	Meadows
Walker	Walsh	Whorton	Wildberger	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hampton	Lembke	Smith 118
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Representative Ransdall declared the bill passed.

HB 1167, relating to a special license plate, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **HB 1167** was read the third time and passed by the following vote:

AYES: 141

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Engler	Ervin	Fares
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 90	Jolly	Jones	Kelly 144
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Thompson

Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 42	Wood	Wright	Young	Zweifel
Madam Speaker				

NOES: 014

Donnelly	Dusenberg	Emery	Fraser	Haywood
Hoskins	Sager	Swinger	Walker	Wildberger
Wilson 25	Witte	Yaeger	Yates	

PRESENT: 003

Brooks	El-Amin	Johnson 61
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ABSENT WITH LEAVE: 005

Avery	Hampton	Johnson 47	Kelly 36	Smith 118
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Representative Ransdall declared the bill passed.

HS HB 1487, relating to kidnapping a child, was taken up by Representative Self.

On motion of Representative Self, **HS HB 1487** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock

Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Bringer

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Hampton	Liese
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Representative Ransdall declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Brooks	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Wildberger	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 011

Boykins	Bringer	Burnett	Donnelly	Fraser
Haywood	Meadows	Walker	Whorton	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Hampton
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HCS HB 941, relating to lapse of school districts, was taken up by Representative Davis (122).

On motion of Representative Davis (122), **HCS HB 941** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 004

Avery Hampton Johnson 47 Shoemyer

Representative Ransdall declared the bill passed.

HB 1494, relating to regional recreational districts, was taken up by Representative Ervin.

On motion of Representative Ervin, **HB 1494** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery

Daus

Hampton

Johnson 47

Representative Ransdall declared the bill passed.

HS HCS HB 978, relating to small business, was taken up by Representative Baker.

On motion of Representative Baker, **HS HCS HB 978** was read the third time and passed by the following vote:

AYES: 147

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 013

Burnett	Campbell	Daus	Donnelly	Fraser
Haywood	Johnson 90	Muckler	Sager	Walker
Walsh	Wilson 25	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery

Bland

Hampton

Representative Ransdall declared the bill passed.

HB 1616, relating to administrative rules, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HB 1616** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

Harris 23	Johnson 90	Sager
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bland	Hampton	Thompson
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Representative Ransdall declared the bill passed.

Representative Goodman resumed the Chair.

HCS HB 1278, relating to insurance, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HCS HB 1278** was read the third time and passed by the following vote:

AYES: 099

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Vogt
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Zweifel	Madam Speaker	

NOES: 060

Barnitz	Bishop	Boykins	Bringer	Brooks
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	El-Amin
Fraser	George	Graham	Green	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Sager	Salva	Schoemehl	Selby
Spreng	Thompson	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bland	Hampton	Seigfreid
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Representative Goodman declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HS HCS HJR 35, relating to fish, wildlife and forestry resources, was taken up by Representative Dethrow.

On motion of Representative Dethrow, **HS HCS HJR 35** was read the third time and passed by the following vote:

AYES: 097

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Bringer
Brown	Bruns	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Davis 122	Davis 19	Deeken
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Goodman	Guest	Harris 110	Haywood
Henke	Hobbs	Hubbard	Hunter	Ice
Jetton	Kelly 144	Kelly 36	King	Kingery
Kuessner	Lager	Lawson	Lipke	Luetkemeyer
Marsh	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schlottach
Schneider	Seigfreid	Self	Smith 118	Smith 14
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Vogt	Wagner
Wallace	Walton	Ward	Wasson	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yates	Madam Speaker			

NOES: 062

Abel	Bishop	Boykins	Brooks	Burnett
Byrd	Campbell	Carnahan	Corcoran	Cunningham 86
Curls	Darrough	Daus	Dempsey	Donnelly
Dougherty	El-Amin	Fares	Fraser	George
Graham	Green	Harris 23	Hilgemann	Holand
Hoskins	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kratky	Lembke	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Portwood	Schaaf	Schoemehl
Selby	Shoemaker	Shoemyer	Skaggs	Spreng
St. Onge	Thompson	Villa	Walker	Walsh
Whorton	Wildberger	Wilson 25	Wilson 42	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bland	Hampton	Salva
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Representative Goodman declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 884, relating to insurance, was taken up by Representative Ward.

On motion of Representative Ward, **HB 884** was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Carnahan	Dethrow	Hampton
Hunter	Pratt	Salva		

Representative Goodman declared the bill passed.

HB 1142, with House Committee Amendment No. 1, relating to low-speed vehicles, was taken up by Representative Daus.

On motion of Representative Daus, **House Committee Amendment No. 1** was adopted.

On motion of Representative Daus, **HB 1142, as amended**, was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Campbell	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Iceet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Byrd Meadows

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Carnahan	Davis 19	Hampton
McKenna	Pratt	Salva		

Representative Goodman declared the bill passed.

Speaker Pro Tem Jetton resumed the Chair.

Speaker Hanaway resumed the Chair.

HB 1223, relating to the Conference of Insurance Legislators, was taken up by Representative Ward.

Representative Ward moved that **HB 1223** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 056

Abel	Behnen	Black	Bland	Brooks
Campbell	Carnahan	Corcoran	Cunningham 86	Curls
Darrough	Daus	Davis 122	Dixon	Dougherty
El-Amin	George	Graham	Green	Harris 23
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 90
Jones	Kelly 36	Kratky	Kuessner	Liese
Lowe	Luetkemeyer	Meadows	Meiners	Muckler
Page	Parker	Richard	Rupp	Sager
Schoemehl	Seigfreid	Spreng	Thompson	Threlkeld
Villa	Vogt	Walker	Walton	Ward
Wasson	Whorton	Wildberger	Wilson 42	Yaeger
Young				

NOES: 098

Angst	Baker	Barnitz	Bean	Bearden
Bishop	Bivins	Bough	Bringer	Brown
Bruns	Burnett	Byrd	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Davis 19	Deeken
Dempsey	Dethrow	Donnelly	Dusenberg	Emery
Ervin	Fares	Fraser	Goodman	Guest
Harris 110	Haywood	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 61	Jolly
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Roark
Ruestman	Sander	Schaaf	Schlottach	Schneider
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Townley	Viebrock
Wagner	Wallace	Walsh	Willoughby	Wilson 119
Wilson 130	Wilson 25	Witte	Wood	Wright
Yates	Zweifel	Madam Speaker		

PRESENT: 002

Engler	Henke
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ABSENT WITH LEAVE: 007

Avery	Boykins	Hampton	Lawson	LeVota
McKenna	Salva			

HCS HB 1471, relating to a conveyance in Jackson County, was taken up by Representative Sanders Brooks.

On motion of Representative Sanders Brooks, **HCS HB 1471** was adopted.

On motion of Representative Sanders Brooks, **HCS HB 1471** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hampton	McKenna	Salva
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Speaker Hanaway declared the bill passed.

HCS HB 1179, relating to criminal case surcharges, was taken up by Representative Corcoran.

On motion of Representative Corcoran, **HCS HB 1179** was adopted.

On motion of Representative Corcoran, **HCS HB 1179** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Cunningham 145

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hampton	McKenna	Salva
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Speaker Hanaway declared the bill passed.

HB 1364, relating to parenting plans, was taken up by Representative Bishop.

On motion of Representative Bishop, **HB 1364** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Iceet	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Cooper 120	Hampton	Johnson 90	McKenna
Myers	Rector	Salva	Willoughby	

Speaker Hanaway declared the bill passed.

HB 1438, relating to a memorial highway, was taken up by Representative Ward.

On motion of Representative Ward, **HB 1438** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell

Carnahan	Cooper 120	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Cooper 155	Hampton	McKenna	Salva
Stefanick				

Speaker Hanaway declared the bill passed.

HB 1608, relating to a conveyance in Jackson County, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1608** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler

Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 003

El-Amin	Hoskins	Hubbard
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bean	Burnett	Hampton	McKenna
Salva	Witte	Yaeger		

Speaker Hanaway declared the bill passed.

HB 1635, relating to a conveyance in Jackson County, was taken up by Representative Darrough.

On motion of Representative Darrough, **HB 1635** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Byrd	Campbell	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand

Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 001

Wallace

ABSENT WITH LEAVE: 006

Avery	Bruns	Burnett	Carnahan	Hampton
McKenna				

Speaker Hanaway declared the bill passed.

HB 1612, relating to a conveyance in Marion County, was taken up by Representative Bringer.

On motion of Representative Bringer, **HB 1612** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47

Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Hampton	McKenna
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Speaker Hanaway declared the bill passed.

HB 1634, relating to military discharge records, was taken up by Representative Behnen.

On motion of Representative Behnen, **HB 1634** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page

Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Johnson 90

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hampton	McKenna	Shoemaker
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Speaker Hanaway declared the bill passed.

HCS HB 1614, relating to health insurance, was taken up by Representative Holand.

On motion of Representative Holand, **HCS HB 1614** was adopted.

On motion of Representative Holand, **HCS HB 1614** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood

Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Hampton	McKenna
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Speaker Hanaway declared the bill passed.

HB 1604, relating to cotton crop liens, was taken up by Representative Bean.

On motion of Representative Bean, **HB 1604** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger

Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hampton	McKenna	Schoemehl
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Speaker Hanaway declared the bill passed.

HB 1610, relating to a memorial highway, was taken up by Representative Ward.

On motion of Representative Ward, **HB 1610** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Hampton McKenna

Speaker Hanaway declared the bill passed.

HB 1613, relating to a conveyance in Greene County, was taken up by Representative Morris.

On motion of Representative Morris, **HB 1613** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Cooper 155 Hampton McKenna

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Green	Guest
Harris 110	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 008

Fraser	Harris 23	Henke	Johnson 90	LeVota
Ward	Wildberger	Young		

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Hampton McKenna Miller

HB 1048, relating to community college facilities maintenance, was taken up by Representative Parker.

On motion of Representative Parker, **HB 1048** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hampton	Johnson 47	McKenna
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Speaker Hanaway declared the bill passed.

HCS HB 1069, relating to the St. Louis Police Retirement System, was taken up by Representative Bivins.

HCS HB 1069 was laid over.

HCS HB 1090, relating to property insurance, was taken up by Representative Bishop.

On motion of Representative Bishop, **HCS HB 1090** was adopted.

On motion of Representative Bishop, **HCS HB 1090** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	El-Amin	Hampton	Hobbs	Kelly 144
McKenna	Shoemaker	Wagner	Wilson 119	Wright
Young				

Speaker Hanaway declared the bill passed.

HB 1217, relating to the Kansas City Police Retirement System, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HB 1217** was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 000

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 007

Avery	Hampton	McKenna	Sander	Shoemaker
Wagner	Young			

Speaker Hanaway declared the bill passed.

HCS HB 1233, relating to subrogation rights of entities, was taken up by Representative Dixon.

On motion of Representative Dixon, **HCS HB 1233** was adopted.

On motion of Representative Dixon, **HCS HB 1233** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Le Vota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 002

Byrd Vogt

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 006

Avery	Hampton	Johnson 90	McKenna	Wagner
Young				

Speaker Hanaway declared the bill passed.

HCS HB 1253, relating to insurance, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HCS HB 1253** was adopted.

On motion of Representative Luetkemeyer, **HCS HB 1253** was read the third time and passed by the following vote:

AYES: 139

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Campbell	Carnahan	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 25	Wilson 42	Witte	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 005

Burnett	Henke	Sager	Selby	Wildberger
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 018

Avery	Byrd	Corcoran	Davis 122	Dougherty
Goodman	Hampton	Hoskins	Johnson 90	Kelly 144
McKenna	Reinhart	Richard	Self	Threlkeld
Wilson 130	Wood	Young		

Speaker Hanaway declared the bill passed.

HCS HB 1405, relating to special license plates, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HCS HB 1405** was adopted.

On motion of Representative Dougherty, **HCS HB 1405** was read the third time and passed by the following vote:

AYES: 147

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yaeger
Zweifel	Madam Speaker			

NOES: 011

Barnitz	Davis 19	Donnelly	Dusenberg	Emery
Haywood	Vogt	Walker	Wildberger	Wilson 25
Yates				

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 004

Avery	Hampton	McKenna	Young
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Speaker Hanaway declared the bill passed.

HB 1440, relating to the regional planning commissions, was taken up by Representative Deeken.

On motion of Representative Deeken, **HB 1440** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberry
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 001

Taylor

ABSENT WITH LEAVE: 006

Avery	Hampton	Johnson 47	McKenna	Reinhart
Young				

Speaker Hanaway declared the bill passed.

HB 1444, relating to legislative committees, was taken up by Representative Moore.

On motion of Representative Moore, **HB 1444** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 001

Wallace

ABSENT WITH LEAVE: 005

Avery	Hampton	Johnson 90	McKenna	Young
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Speaker Hanaway declared the bill passed.

HB 1445, relating to a conveyance in Stoddard County, was taken up by Representative Mayer.

On motion of Representative Mayer, **HB 1445** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Curls	Hampton	Lawson	McKenna
Young				

Speaker Hanaway declared the bill passed.

HB 1502, relating to the Kansas City Public School Retirement System, was taken up by Representative Wilson (42).

On motion of Representative Wilson (42), **HB 1502** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Hampton	McKenna	Meadows	Young
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Speaker Hanaway declared the bill passed.

HCS HBs 1529 & 1655, relating to tax increment financing, was taken up by Representative Lembke.

On motion of Representative Lembke, **HCS HBs 1529 & 1655** was adopted.

On motion of Representative Lembke, **HCS HBs 1529 & 1655** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 004

Avery	Hampton	McKenna	Young
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Speaker Hanaway declared the bill passed.

HB 1603, relating to republication of a section in statute, was taken up by Representative Lager.

On motion of Representative Lager, **HB 1603** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Curls	Hampton	McKenna	Stefanick
Young				

Speaker Hanaway declared the bill passed.

HCS HBs 1631 & 1623, relating to supervision of paroled persons, was taken up by Representative Dixon.

On motion of Representative Dixon, **HCS HBs 1631 & 1623** was adopted.

On motion of Representative Dixon, **HCS HBs 1631 & 1623** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Guest	Hampton	McKenna	Young
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Speaker Hanaway declared the bill passed.

HCS HB 1660, relating to accident reports, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 1660** was adopted.

On motion of Representative Lager, **HCS HB 1660** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Hampton	Johnson 61	Lembke	Marsh
McKenna	Young			

Speaker Hanaway declared the bill passed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS HB 1118, relating to commercial drivers' license, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS HB 1118** was adopted.

On motion of Representative Schlottach, **HCS HB 1118** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 842**, entitled:

An act to repeal section 315.015, RSMo, and to enact in lieu thereof one new section relating to licensing of lodging establishments, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 847**, entitled:

An act to amend chapter 139, RSMo, by adding thereto one new section relating to installment payments of property taxes in certain charter counties.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 901**, entitled:

An act to repeal sections 260.370, 319.109, 319.125, 319.127, 319.139, RSMo, and section 319.137 as enacted by house committee substitute for senate substitute for senate bill no. 3, eighty-eighth general assembly, first regular session, and section 319.137 as enacted by house bill no. 251, eighty-eighth general assembly, first regular session, and to enact in lieu thereof ten new sections relating to environmental control.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 941**, entitled:

An act to repeal section 165.301, RSMo, and to enact in lieu thereof one new section relating to selection of depositories in metropolitan school districts.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 961**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to amateur radio antenna regulations.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 972**, entitled:

An act to amend chapter 650, RSMo, by adding thereto five new sections relating to the creation of a public safety officer medal of valor.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 983**, entitled:

An act to repeal sections 301.681, 306.458, and 306.461, RSMo, and to enact in lieu thereof four new sections relating to transfer on death agreements.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 987**, entitled:

An act to repeal sections 247.040 and 247.165, RSMo, and to enact in lieu thereof two new sections relating to water service to annexed areas.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1066**, entitled:

An act to repeal sections 537.675, 537.678, and 537.684, RSMo, and to enact in lieu thereof three new sections relating to the tort victims' compensation fund, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1085 & 800**, entitled:

An act to amend chapter 143, RSMo, by adding thereto one new section relating to contributions to certain nonprofit organizations.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1091**, entitled:

An act to repeal section 163.191, RSMo, and to enact in lieu thereof one new section relating to state aid to community colleges.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1155**, entitled:

An act to repeal sections 99.1000 and 99.1018, RSMo, and to enact in lieu thereof two new sections relating to the Missouri rural economic stimulus authority.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1195**, entitled:

An act to repeal section 211.393, RSMo, and to enact in lieu thereof one new section relating to juvenile court personnel.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1211**, entitled:

An act to repeal section 535.030, RSMo, and to enact in lieu thereof one new section relating to the service of summons in landlord/tenant actions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1212**, entitled:

An act to authorize the governor to convey property owned by the state to the Truman Medical Center.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1215**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to subrogation rights of public entities.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1242**, entitled:

An act to repeal sections 169.270, 169.291, 169.295, and 169.322, RSMo, and to enact in lieu thereof four new sections relating to the Kansas City public school retirement system.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1265**, entitled:

An act to repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to civilian review board membership.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1269**, entitled:

An act to repeal sections 67.1401, 67.1461, and 67.1545, RSMo, and to enact in lieu thereof three new sections relating to sales and use tax authorized in certain districts.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1285**, entitled:

An act to repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to motor vehicle fee offices.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1287**, entitled:

An act to repeal section 105.267, RSMo, and to enact in lieu thereof one new section relating to public officers and employees.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1311**, entitled:

An act to repeal section 143.081, RSMo, and to enact in lieu thereof one new section relating to credit for income taxes paid to another state or the District of Columbia, with an effective date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1320**, entitled:

An act to repeal sections 110.070 and 110.080, RSMo, and to enact in lieu thereof two new sections relating to bids for depositaries of public institutions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1322**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to the state capitol.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1323**, entitled:

An act to repeal section 160.254, RSMo, and to enact in lieu thereof one new section relating to the joint committee on education.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1329**, entitled:

An act to repeal sections 190.335 and 190.339, RSMo, and to enact in lieu thereof four new sections relating to emergency services.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1331**, entitled:

An act to repeal section 99.918, RSMo, and to enact in lieu thereof one new section relating to downtown and rural development.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1336**, entitled:

An act to amend chapters 41 and 143, RSMo, by adding thereto two new sections relating to the creation of a Missouri military family relief fund.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1338**, entitled:

An act to amend chapter 321, RSMo, by adding thereto one new section relating to a fire protection district sales tax for homeland security and training purposes.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1344**, entitled:

An act to repeal section 620.602, RSMo, and to enact in lieu thereof one new section relating to the joint committee on economic development policy and planning.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1365**, entitled:

An act to amend chapter 42, RSMo, by adding thereto two new sections relating to veterans.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1391**, entitled:

An act to amend chapter 94, RSMo, by adding thereto one new section relating to transient guest taxes.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 739**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 739, with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 739, as amended;
2. That the Senate recede from its position on Senate Bill No. 739;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 739, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Peter Myers
/s/ Therese Sander
/s/ Otto Bean
/s/ Rachel Bringer
/s/ Jim Whorton

On motion of Representative Crowell, the House stood at ease until the House Substitute for **HCS HB 1453** was distributed and then adjourned until 10:00 a.m., Thursday, April 1, 2004.

AFFIDAVITS

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

[illegible]

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

[illegible]

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Larry Morris, District 138, hereby state and affirm that my vote as recorded on Page 800 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Larry Morris
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Dethrow, District 153, hereby state and affirm that my vote as recorded on Page 801 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Mike Dethrow
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Guest, District 5, hereby state and affirm that my vote as recorded on Page 809 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Jim Guest
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Brad Lager, District 4, hereby state and affirm that my vote as recorded on Page 811 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Brad Lager
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tim Meadows, District 101, hereby state and affirm that my vote as recorded on Page 815 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark J. Bruns, District 113, hereby state and affirm that my vote as recorded on Page 817 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Mark J. Bruns
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Barbara Fraser, District 83, hereby state and affirm that my vote as recorded on Page 817 of the House Journal for Tuesday, March 30, 2004 showing that I voted present was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Barbara Fraser
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Pages 803, 805 and 816 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Amber Boykins, District 60, hereby state and affirm that my vote as recorded on Pages 815, 817 and 820 of the House Journal for Tuesday, March 30, 2004 showing that I voted absent with leave were incorrectly

recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2004.

/s/ Amber Boykins
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Thursday, April 1, 2004, 8:00 a.m. Hearing Room 4.

CANCELLED

Executive session will be held on: SS SCS SBs 740, 886 & 1178

AGRICULTURE

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HCR 21, HB 1523

BUDGET

Monday, April 5, 2004, 12:00 p.m. Hearing Room 3.

Executive session. Committee will hear bills assigned or referred for fiscal review.

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CHILDREN AND FAMILIES

Tuesday, April 6, 2004, Hearing Room 1 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1339, HB 1263, SJR 29

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 1, 2004, Hearing Room 3 upon morning adjournment.

Conference committee will meet upon adjournment of both chambers.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 1, 2004, Hearing Room 6 upon morning adjournment.

Executive session will be held on: HB 1243

FINANCIAL SERVICES

Thursday, April 1, 2004, 9:30 a.m. House Chamber side gallery.
Executive session will be held on: HB 1231, HB 1509, HB 1665

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Monday, April 5, 2004, 11:00 a.m. Hearing Room 6.
Gene Carroll from St. Louis University will speak on SARS, etc.

LOCAL GOVERNMENT

Thursday, April 1, 2004, 8:15 a.m. Hearing Room 6.
Continuation of hearing opponents only on HB 1446.
Public hearings to be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769
Executive session will be held on: SCS SB 952, SS SB 732, SCS SB 1062

RETIREMENT

Thursday, April 1, 2004, House Chamber side gallery upon morning adjournment.
Executive session. AMENDED
Public hearings to be held on: HB 1480, HB 1218

RULES

Thursday, April 1, 2004, 8:30 a.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HJR 50, HR 263

TAX POLICY

Thursday, April 1, 2004, House Chamber side gallery upon morning adjournment.
Executive session will be held on: HB 1210, HB 1467, HB 1267

HOUSE CALENDAR

FORTY-FIFTH DAY, THURSDAY, APRIL 1, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 55

HOUSE BILLS FOR SECOND READING

HB 1701 through HB 1706

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 1207 - Icet (84)
- 6 HCS HB 774 - Sander (22)
- 7 HCS HB 843, 880 & 1042 - Angst (146)
- 8 HCS HB 1099 - Reinhart (34)
- 9 HB 1424 - Stefanick (93)
- 10 HB 773 - Icet (84)
- 11 HB 1302 - Lager (4)
- 12 HCS HB 1453 - Hanaway (87)
- 13 HCS HB 1085 - Townley (112)
- 14 HCS HB 1195 - Behnen (2)
- 15 HB 1337 - Nieves (98)
- 16 HCS HB 1617 - Hanaway (87)
- 17 HCS HB 1511 - Byrd (94)
- 18 HB 1109 - Crawford (117)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118 - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 1029, HCA 1 - Henke (11)
- 3 HB 1114 - Skaggs (31)
- 4 HCS HB 1524 - Ransdall (148)
- 5 HCS HB 1069 - Bivins (97)
- 6 HB 1454 - Swinger (162)
- 7 HB 1462 - Bean, Jr. (163)

SENATE BILLS FOR SECOND READING

- 1 SB 842
- 2 SB 847
- 3 SCS SB 901
- 4 SCS SB 941

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5	SCS SB 961
6	SCS SB 972
7	SCS SB 983
8	SCS SB 987
9	SCS SB 1066
10	SCS SBs 1085 & 800
11	SCS SB 1091
12	SCS SB 1155
13	SCS SB 1195
14	SB 1211
15	SCS SB 1212
16	SCS SB 1215
17	SB 1242
18	SCS SB 1265
19	SCS SB 1269
20	SB 1285
21	SCS SB 1287
22	SB 1311
23	SB 1320
24	SB 1322
25	SB 1323
26	SB 1329
27	SCS SB 1331
28	SCS SB 1336
29	SB 1338
30	SB 1344
31	SCS SB 1365
32	SB 1391

SENATE BILL FOR THIRD READING

HCS SB 1080 - Wallace (143)

BILLS IN CONFERENCE

1	HS HCS SS SCS SB 730, as amended - Portwood (92)
2	SCS HCS HB 1014, as amended - Bearden (16)
3	CCR HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-FIFTH DAY, THURSDAY, APRIL 1, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

First, by listening to a saying of Jesus suggested by the new life of Spring.

"Consider how the lilies of the field grow; they neither toil nor spin, yet I say to you that not even Solomon in all his glory was arrayed like one of these. But if God so clothes the grass of the field, which flourishes today but tomorrow is thrown into the oven, how much more you, O you of little faith!" (*Matthew 6:28-30*)

Lord God, this word of Jesus, Your Son, reminds us that You provide the resources to meet the basic needs of all the people. We have a special dominion over these resources, and are responsible to see that they meet the needs of all the people. By Your grace, help us to exercise this dominion faithfully.

Our children are in the springtime of life. April is Child Abuse Prevention Month. Holy Lord, give us Your strength and courage as we pledge ourselves to do our part to prevent the abuse of the children of our state.

We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelly Horton, Tommy Ervie, Marissa Graves, Harvey Constant, Kaleb Gilliland, Tyler Jones, Alyssa Famuliner, Jonathan Kaiser, Heather Brown, Callie Coldiron, Karrie Pence, Mark Buhrmester, Tracy Anderson, Ryan Creason, Sully Fairchild, Penny Gardner, Clint Stith, Jessica Whitaker, Hannah Riddle, Dillon Hounihan, Cathey Schoolcraft, Jacob Carmack, Katie Dains, Abby Stout, Austin Shelby, Ryan Russell, Shannon Clark, Briona Chester, Sarah Brouk, Katy Phillips, Sean Lewis, Matt Holt, Morgan Maples, Audrey Meyer, Andrea Bocketman, Ariel Gini and Julie Kidwell.

The Journal of the forty-fourth day was approved as corrected by the following vote:

AYES: 143

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120

Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenbergh	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Green
Guest	Harris 110	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Wilson 42	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 016

Bland	Darrough	Donnelly	Graham	Harris 23
Johnson 90	Lawson	Liese	Lowe	Nieves
Rupp	Sager	Salva	Willoughby	Wilson 25
Witte				

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Black	Hampton	Myers
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SPECIAL RECOGNITION

Wayne Pressley was introduced by Representative Crowell and recognized as an Outstanding Missourian.

Mr. Pressley addressed the House.

Representative Taylor assumed the Chair.

HOUSE RESOLUTION

Representative Miller offered House Resolution No. 1402.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1381 - Representative Carnahan
House Resolution No. 1382 - Representative Pratt
House Resolution No. 1383 - Representative Selby
House Resolution No. 1384 - Representative Munzlinger
House Resolution No. 1385 - Representative King
House Resolution No. 1386 - Representative Bringer
House Resolution No. 1387 - Representative Luetkemeyer
House Resolution No. 1388 - Representative Lipke
House Resolution No. 1389 - Representative Haywood
House Resolution No. 1390
and
House Resolution No. 1391 - Representative Pearce
House Resolution No. 1392
through
House Resolution No. 1395 - Representative Kingery
House Resolution No. 1396 - Representative Walsh
House Resolution No. 1397
and
House Resolution No. 1398 - Representative Lager
House Resolution No. 1399 - Representative Wright
House Resolution No. 1400 - Representative Harris (110), et al
House Resolution No. 1401 - Representative Harris (110)
House Resolution No. 1403
through
House Resolution No. 1407 - Representative Pratt, et al
House Resolution No. 1408
and
House Resolution No. 1409 - Representative Kelly (36)

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1707, introduced by Representative St. Onge, relating to developing small businesses.

HB 1708, introduced by Representatives Jackson, Carnahan, Kuessner, Jetton, Yaeger, Ransdall, Schoemehl and Johnson (47), relating to the creation of a Missouri military family relief fund.

HB 1709, introduced by Representative Jolly, relating to parole.

HB 1710, introduced by Representative Lager, relating to the incorporation of Northwest Missouri State University into the University of Missouri system.

HB 1711, introduced by Representative Bishop, relating to organ donors.

HB 1712, introduced by Representative Cooper (120), relating to income taxation.

HB 1713, introduced by Representative Cooper (120), relating to tax collection.

HB 1714, introduced by Representative Cunningham (86), relating to all-terrain vehicles.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 55 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1701 through **HB 1706** were read the second time.

SECOND READING OF SENATE BILLS

SB 842, SB 847, SCS SB 901, SCS SB 941, SCS SB 961, SCS SB 972, SCS SB 983, SCS SB 987, SCS SB 1066, SCS SBs 1085 & 800, SCS SB 1091, SCS SB 1155, SCS SB 1195, SB 1211, SCS SB 1212, SCS SB 1215, SB 1242, SCS SB 1265, SCS SB 1269, SB 1285, SCS SB 1287, SB 1311, SB 1320, SB 1322, SB 1323, SB 1329, SCS SB 1331, SCS SB 1336, SB 1338, SB 1344, SCS SB 1365 and SB 1391 were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1511, relating to trust and estate administration, was taken up by Representative Byrd.

Representative Byrd offered **HS HCS HB 1511**.

Representative Byrd offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1511, Section 456.1-110, Page 21, Line 23, by deleting the number “**456.1-411B**”; and inserting in lieu thereof the number “**456.4-411B**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

Representative Schaaf offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

On motion of Representative Byrd, **HS HCS HB 1511, as amended**, was adopted.

On motion of Representative Byrd, **HS HCS HB 1511, as amended**, was ordered perfected and printed.

Speaker Hanaway resumed the Chair.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1033 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1118 - Budget (Fiscal Note)
HB 778 - Tax Policy
HB 1466 - Tax Policy
HB 1545 - Local Government
HB 1565 - Crime Prevention and Public Safety
HB 1595 - Job Creation and Economic Development
HB 1597 - Job Creation and Economic Development
HB 1600 - Crime Prevention and Public Safety
HB 1601 - Crime Prevention and Public Safety
HB 1663 - Transportation and Motor Vehicles
HB 1672 - Education
HB 1673 - Crime Prevention and Public Safety
HB 1680 - Tax Policy
HB 1692 - Tax Policy
HB 1693 - Health Care Policy
HB 1695 - Conservation and Natural Resources
HB 1696 - Budget
HB 1697 - Tax Policy
HB 1703 - Tax Policy

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 23 - Local Government
SCR 30 - Rules
SCR 32 - Education
SCR 34 - Health Care Policy

SS SCS SCR 36 - Crime Prevention and Public Safety

SCR 37 - Education

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SS SCS SB 715 - Crime Prevention and Public Safety

SCS SB 757 - Transportation and Motor Vehicles

SCS#2 SB 762 - Children and Families

SB 768 - Education

SCS SB 771 - Transportation and Motor Vehicles

SB 772 - Transportation and Motor Vehicles

SCS SB 788 - Crime Prevention and Public Safety

SCS SB 799 - Judiciary

SB 824 - Transportation and Motor Vehicles

SCS SB 827 - Judiciary

SB 842 - Professional Registration and Licensing

SCS SB 845 - Transportation and Motor Vehicles

SB 847 - Tax Policy

SB 870 - Transportation and Motor Vehicles

SB 883 - Judiciary

SB 884 - Judiciary

SB 894 - Transportation and Motor Vehicles

SB 899 - Transportation and Motor Vehicles

SB 900 - Transportation and Motor Vehicles

SCS SB 901 - Conservation and Natural Resources

SCS SB 921 - Judiciary

SCS SB 941 - Education

SCS SB 956 - Transportation and Motor Vehicles

SCS SB 961 - Communications, Energy and Technology

SCS SB 962 - Professional Registration and Licensing

SB 966 - Workforce Development and Workplace Safety

SCS SB 972 - Crime Prevention and Public Safety

SB 974 - Financial Services

SCS SB 983 - Judiciary

SCS SB 987 - Local Government

SCS SB 988 - Tax Policy

SCS SB 992 - Transportation and Motor Vehicles

SCS SBs 1020, 889 & 869 - Special Committee on General Laws

SCS SBs 1027 & 896 - Professional Registration and Licensing

SCS SB 1040 - Conservation and Natural Resources

SB 1047 - Children and Families

SB 1048 - Tax Policy

SB 1055 - Local Government

SB 1064 - Judiciary
SCS SB 1066 - Judiciary
SCS SB 1078 - Financial Services
SB 1083 - Health Care Policy
SCS SB 1084 - Education
SCS SBs 1085 & 800 - Tax Policy
SB 1086 - Financial Services
SB 1087 - Education
SCS SB 1091 - Elections
SCS SB 1093 - Local Government
SRB 1108 - Rules
SB 1111 - Judiciary
SB 1114 - Local Government
SS SS SCS SB 1122 - Professional Registration and Licensing
SB 1123 - Senior Security
SB 1130 - Retirement
SB 1133 - Education
SCS SB 1141 - Job Creation and Economic Development
SCS SB 1155 - Job Creation and Economic Development
SCS SB 1160 - Senior Security
SB 1165 - Tax Policy
SCS SB 1172 - Special Committee on General Laws
SCS SB 1177 - Communications, Energy and Technology
SCS SB 1181 - Professional Registration and Licensing
SCS SB 1188 - Financial Services
SCS SB 1195 - Judiciary
SCS SB 1197 - Elections
SB 1211 - Judiciary
SCS SB 1215 - Financial Services
SCS SB 1218 - Professional Registration and Licensing
SCS SB 1225 - Crime Prevention and Public Safety
SB 1229 - Crime Prevention and Public Safety
SCS SB 1235 - Financial Services
SCS SB 1240 - Judiciary
SB 1242 - Retirement
SB 1243 - Judiciary
SB 1249 - Job Creation and Economic Development
SCS SB 1250 - Communications, Energy and Technology
SCS SB 1253 - Special Committee on General Laws
SB 1257 - Education
SB 1259 - Transportation and Motor Vehicles
SCS SB 1262 - Transportation and Motor Vehicles
SCS SB 1265 - Crime Prevention and Public Safety
SCS SB 1269 - Job Creation and Economic Development
SB 1274 - Professional Registration and Licensing

SB 1285 - Tax Policy
SCS SB 1287 - Budget
SB 1296 - Local Government
SB 1299 - Financial Services
SB 1302 - Local Government
SCS SB 1304 - Crime Prevention and Public Safety
SB 1311 - Tax Policy
SB 1320 - Financial Services
SB 1322 - Corrections and State Institutions
SB 1323 - Education
SB 1329 - Local Government
SCS SB 1331 - Local Government
SCS SB 1336 - Tax Policy
SB 1338 - Tax Policy
SB 1344 - Job Creation and Economic Development
SCS SB 1365 - Homeland Security and Veterans Affairs
SB 1391 - Local Government

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1243**, **HB 1094** and **HB 931**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1160**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1665**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 1409**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **HB 1664**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1081**, entitled:

An act to amend chapter 431, RSMo, by adding thereto seven new sections relating to resolution of disputes concerning alleged defective residential construction.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1220**, entitled:

An act to repeal sections 49.082, 50.334, 50.343, 51.281, 52.269, 53.082, 54.261, 54.320, 55.091, 56.265, 57.317, and 58.095, RSMo, and to enact in lieu thereof thirteen new sections relating to maximum allowable compensation for certain county officials.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1247**, entitled:

An act to repeal section 105.711, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS SCS SB 1371**, entitled:

An act to repeal sections 208.556, 208.559, 208.568, and 208.574, RSMo, and to enact in lieu thereof nine new sections relating to the coordination of benefits for the Medicare Prescription Drug, Improvement and Modernization Act of 2003, with a termination date for a certain section.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, April 5, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-fourth Day, Wednesday, March 31, 2004, Pages 857, 859, 861, 862, 863, 864 and 865, roll calls, by showing Representative Salva voting "aye" rather than "absent with leave".

Page 860, roll call, by showing Representative Salva voting "no" rather than "absent with leave".

AFFIDAVITS

I, State Representative Craig Bland, District 43, hereby state and affirm that my vote as recorded on Pages 854, 855, 856, 857 and 858 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye, aye, no, no and aye, respectively. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Craig Bland
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark J. Bruns, District 113, hereby state and affirm that my vote as recorded on Page 866 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Mark J. Bruns
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative John Burnett, District 40, hereby state and affirm that my votes as recorded on Pages 865 and 866 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ John Burnett
State Representative

[illegible]

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Russ Carnahan, District 59, hereby state and affirm that my votes as recorded on Pages 858, 859 and 866 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Russ Carnahan
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Shannon Cooper, District 120, hereby state and affirm that my vote as recorded on Page 863 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Shannon Cooper
State Representative

[illegible]

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Michael G. Corcoran, District 77, hereby state and affirm that my vote as recorded on Page 877 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Michael G. Corcoran
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Melba J. Curls, District 41, hereby state and affirm that my votes as recorded on Pages 881 and 884 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Melba J. Curls
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tom Dempsey, District 18, hereby state and affirm that my vote as recorded on Page 837 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Tom Dempsey
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Dethrow, District 153, hereby state and affirm that my vote as recorded on Page 858 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Mike Dethrow
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Guest, District 5, hereby state and affirm that my vote as recorded on Page 885 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Jim Guest
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hobbs, District 21, hereby state and affirm that my vote as recorded on Page 874 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Steve Hobbs
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my votes as recorded on Pages 863, 876, 877 and 880 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Lembke, District 85, hereby state and affirm that my vote as recorded on Page 886 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Jim Lembke
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Paul LeVota, District 52, hereby state and affirm that my votes as recorded on Pages 860 and 872 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Paul LeVota
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tim Meadows, District 101, hereby state and affirm that my vote as recorded on Page 882 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my votes as recorded on Pages 858 and 859 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that

I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Bryan Pratt
State Representative

[illegible]

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rex Rector, District 124, hereby state and affirm that my vote as recorded on Page 863 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Rex Rector
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Ron Richard, District 129, hereby state and affirm that my vote as recorded on Page 877 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Ron Richard
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Annie Reinhart, District 34, hereby state and affirm that my votes as recorded on Pages 877 and 879 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Annie Reinhart
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sue Schoemehl, District 100, hereby state and affirm that my vote as recorded on Page 869 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Sue Schoemehl
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jodi Stefanick, District 93, hereby state and affirm that my votes as recorded on Pages 838, 864 and 884 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence were incorrectly recorded.

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Philip Willoughby, District 33, hereby state and affirm that my vote as recorded on Page 863 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Philip Willoughby
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kevin Wilson, District 130, hereby state and affirm that my vote as recorded on Page 877 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Philip Willoughby
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Terry Witte, District 10, hereby state and affirm that my vote as recorded on Pages 864 and 865 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Terry Witte
State Representative

[illegible]

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dennis Wood, District 62, hereby state and affirm that my vote as recorded on Page 877 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Dennis Wood
State Representative

[illegible]

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Wright, District 137, hereby state and affirm that my vote as recorded on Page 874 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Mark Wright
State Representative

[illegible]

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Patricia Yaeger, District 94, hereby state and affirm that my vote as recorded on Pages 864 and 865 of the House Journal for Wednesday, March 31, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of April 2004.

/s/ Patricia Yaeger
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HCR 21, HB 1523

BUDGET

Monday, April 5, 2004, 12:00 p.m. Hearing Room 3.

Executive session. Committee will hear bills assigned or referred for fiscal review.

Public hearings to be held on: HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Tuesday, April 6, 2004, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Committee will hear all bills assigned or referred for fiscal review.

Public hearings to be held on: HB 1617, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Wednesday, April 7, 2004, 8:30 a.m. Hearing Room 3.

Bills that may be assigned or referred to committee for fiscal review.

Possible Executive session.

CHILDREN AND FAMILIES

Tuesday, April 6, 2004, Hearing Room 1 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1339, HB 1263, SJR 29

ELECTIONS

Tuesday, April 6, 2004, Hearing Room 7 upon evening adjournment.

Executive session only.

Executive session will be held on: HB 1220, HB 1265, HB 1319, HB 1539, HJR 29, HJR 46

ETHICS

Tuesday, April 6, 2004, Hearing Room 4 upon afternoon adjournment.

Executive session may follow.

Missouri Cancer Caucus, FFA Caucus, House Chair Caucus.

FINANCIAL SERVICES

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 6.

Executive session may occur.

Public hearings to be held on: SCS SB 1038

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, April 6, 2004, Hearing Room 5 upon afternoon adjournment.

Executive session will follow.

Public hearings to be held on: SCS SB 1365

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 8, 2004, Senate Lounge upon morning adjournment.

5 CSR 100-200.170 DESE Commission for the Deaf and Hard of hearing-

13 CSR 70-3.120 DSS - Division of Medical Services conditions of provider participation etc.

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Monday, April 5, 2004, 11:00 a.m. Hearing Room 6.

Gene Carroll from St. Louis University will speak on SARS, etc.

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 6, 2004, Hearing Room 5 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HB 1671, SB 1052

TAX POLICY

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 901, HB 1435, HB 1648

HOUSE CALENDAR

FORTY-SIXTH DAY, MONDAY, APRIL 5, 2004

HOUSE BILLS FOR SECOND READING

HB 1707 through HB 1714

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 1207 - Icet (84)
- 6 HCS HB 774 - Sander (22)
- 7 HCS HB 843, 880 & 1042 - Angst (146)
- 8 HCS HB 1099 - Reinhart (34)
- 9 HB 1424 - Stefanick (93)
- 10 HB 773 - Icet (84)
- 11 HB 1302 - Lager (4)
- 12 HCS HB 1453 - Hanaway (87)
- 13 HCS HB 1085 - Townley (112)
- 14 HCS HB 1195 - Behnen (2)
- 15 HB 1337 - Nieves (98)
- 16 HCS HB 1617 - Hanaway (87)
- 17 HB 1109 - Crawford (117)
- 18 HB 1160 - Parker (12)
- 19 HCS HB 1243, 1094 & 931 - Mayer (159)
- 20 HB 1409 - Richard (129)
- 21 HB 1664 - Hanaway (87)
- 22 HB 1665 - Hanaway (87)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILL FOR THIRD READING

HS HCS HB 1511 - Byrd (94)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-1-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 1029, HCA 1 - Henke (11)
- 3 HB 1114 - Skaggs (31)
- 4 HCS HB 1524 - Ransdall (148)
- 5 HCS HB 1069 - Bivins (97)
- 6 HB 1454 - Swinger (162)
- 7 HB 1462 - Bean, Jr. (163)

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 1081
- 2 SCS SB 1220
- 3 SCS SB 1247
- 4 SS SS SCS SB 1371

SENATE BILL FOR THIRD READING

HCS SB 1080 - Wallace (143)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 SCS HCS HB 1014, as amended - Bearden (16)
- 3 CCR HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-SIXTH DAY, MONDAY, APRIL 5, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, "The purity of silver and gold can be tested in a crucible, but a man is tested by his reaction to men's praise." Help us to remain steadfast in the face of praise or criticism; continuing unhampered in our resolve to complete the difficult tasks, which lie ahead.

A book with blank pages is opened to us today. Help us to write concisely, with wisdom, words that will accurately shape the future of this state and its citizens. Our knowledge is finite, Yours is infinite; guide us down the path of Your knowing.

And now unto You be glory both now and forever....

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Smith and Kyle McCallister.

The Journal of the forty-fifth day was approved as corrected by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Bringer	Bruns	Burnett	Byrd
Campbell	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows

Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Donnelly	Sager	Vogt	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bishop	Boykins	Brooks	Brown
Carnahan	George	Hampton	Haywood	Schneider
Walton				

Representative Bruns assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1410	-	Representative Hanaway
House Resolution No. 1411	-	Representative Munzlinger
House Resolution No. 1412		
through		
House Resolution No. 1425	-	Representative Moore
House Resolution No. 1426	-	Representative Hubbard, et al
House Resolution No. 1427		
and		
House Resolution No. 1428	-	Representative Hunter
House Resolution No. 1429	-	Representative Munzlinger
House Resolution No. 1430		
and		
House Resolution No. 1431	-	Representative Yates
House Resolution No. 1432		
and		
House Resolution No. 1433	-	Representative Rector
House Resolution No. 1434	-	Representative Ruestman
House Resolution No. 1435	-	Representative Ruestman, et al
House Resolution No. 1436	-	Representative Kelly (36)

House Resolution No. 1437 - Representative Ward
House Resolution No. 1438 - Representative Rupp
House Resolution No. 1439 - Representative LeVota, et al
House Resolution No. 1440 - Representative Salva, et al
House Resolution No. 1441 - Representative Graham
House Resolution No. 1442
and
House Resolution No. 1443 - Representative Brown
House Resolution No. 1444 - Representative Wilson (130)
House Resolution No. 1445 - Representative Wallace
House Resolution No. 1446 - Representative Harris (23), et al
House Resolution No. 1447 - Representative Kelly (144)
House Resolution No. 1448 - Representative Dixon

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 56, introduced by Representatives Yates, Crowell, Engler, Jetton, Pratt, Bean, King, Daus and Villa, relating to minimum age requirements for members of the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1715, introduced by Representatives May, Pratt, Meadows, Whorton, Sutherland, Harris (23), Smith (14), Kingery, Townley, Guest, Deeken, Morris, Threlkeld, Dusenberg, Quinn, Wilson (119), Nieves, Stevenson, Jetton, Bearden, Bivins and Jackson, relating to the designation of a memorial highway.

HB 1716, introduced by Representative Daus, relating to temporary license plates.

HB 1717, introduced by Representative Morris, relating to taxation of Social Security benefits.

HB 1718, introduced by Representative Morris, relating to liability of health service providers.

SECOND READING OF HOUSE BILLS

HB 1707 through **HB 1714** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 1081, **SCS SB 1220**, **SCS SB 1247**, and **SS SS SCS SB 1371** were read the second time.

RECESS

On motion of Representative Crowell, the House recessed until all the budget bills were distributed.

The hour of recess having expired, the House was called to order by Speaker Hanaway.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1626 - Crime Prevention and Public Safety

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1703 - Financial Services

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 1212 - Local Government

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HB 1001**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1002**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1003**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1004**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1005**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1006**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1007**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1008**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1009**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1010**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1011**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1012**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **HB 1477** and **HB 1563**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Madam Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 844**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1014**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1014 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1014.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1014.
3. That the attached Conference Committee Substitute for House Bill No. 1014, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Doyle Childers
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Chuck Purgason
/s/ Rep. Marsha Campbell
/s/ Rep. Paul LeVota

SUPPLEMENTAL CALENDAR

(April 5, 2004)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1001 - Bearden
- 2 HCS HB 1002 - Bearden
- 3 HCS HB 1003 - Bearden
- 4 HCS HB 1004 - Bearden
- 5 HCS HB 1005 - Bearden
- 6 HCS HB 1006 - Bearden
- 7 HCS HB 1007 - Bearden
- 8 HCS HB 1008 - Bearden
- 9 HCS HB 1009 - Bearden
- 10 HCS HB 1010 - Bearden
- 11 HCS HB 1011 - Bearden
- 12 HCS HB 1012 - Bearden

ADJOURNMENT

On motion of Representative Crowell, the House adjourned as of 12:30 a.m., Tuesday, April 6, 2004, until 10:00 a.m., Tuesday, April 6, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Scott T. Rupp, District 13, hereby state and affirm that my vote as recorded on Page 902 of the House Journal for Thursday, April 1, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of April 2004.

/s/ Scott T. Rupp
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HCR 21, HB 1523

BUDGET

Tuesday, April 6, 2004, 8:00 p.m. Hearing Room 3.
Possible Executive session.
Committee will hear all bills assigned or referred for fiscal review. **AMENDED**
Public hearing to be held on: HB 1617

BUDGET

Wednesday, April 7, 2004, 8:30 a.m. Hearing Room 3.
Bills that may be assigned or referred to committee for fiscal review.
Possible Executive session.

CHILDREN AND FAMILIES

Tuesday, April 6, 2004, Hearing Room 1 upon evening adjournment.
Executive session may follow.
Public hearings to be held on: HB 1339, HB 1263, SJR 29

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, April 6, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: SCS SB 1250, SCS SB 1177, SCS SB 961

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1609, HB 1602, SCS SB 1040, SCS SB 901

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 6, 2004, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1590, HB 1626, HB 1650, SCS SB 788

ELECTIONS

Tuesday, April 6, 2004, Hearing Room 7 upon evening adjournment.

Executive session only.

Executive session will be held on: HB 1220, HB 1265, HB 1319, HB 1539, HJR 29, HJR 46

ETHICS

Tuesday, April 6, 2004, Hearing Room 4 upon afternoon adjournment.

Executive session may follow.

Missouri Cancer Caucus, FFA Caucus, House Chair Caucus.

FINANCIAL SERVICES

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 6.

Executive session may occur. AMENDED

Public hearings to be held on: HB 1703, SCS SB 1038

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, April 6, 2004, Hearing Room 5 upon afternoon adjournment.

Executive session will follow.

Public hearings to be held on: SCS SB 1365

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 8, 2004, Senate Lounge upon morning adjournment.

5 CSR 100-200.170 DESE Commission for the Deaf and Hard of hearing-

13 CSR 70-3.120 DSS - Division of Medical Services conditions of provider participation etc.

JUDICIARY

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 986, HB 1312, HB 1458, HB 1675, HB 1588, SB 1007, SB 1162

Executive session will be held on: HB 1143, HB 1148, HB 1229, HB 1588, HB 1646, HB 1675, HCR 13, HB 1065

LOCAL GOVERNMENT

Thursday, April 8, 2004, 8:15 a.m. Hearing Room 6.

Public hearings to be held on: SCS SB 1331, SCS SB 1093, SCS SB 1106, SB 1107, SCS SB 700, SCS SB 1075, SCS SB 1212

Executive session will be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: SCS SB 962, SCS SBs 1027 & 896, SCS SB 1218, SB 1274

Executive session may be held on: HB 837

SENIOR SECURITY

Tuesday, April 6, 2004, Hearing Room 6 upon evening adjournment.

Executive session may follow.

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 6, 2004, Hearing Room 5 upon morning adjournment.

Possible Executive session. AMENDED

Public hearings to be held on: HB 1671, SB 1052, SCS SBs 1020, 889 & 869, SCS SB 1253

TAX POLICY

Tuesday, April 6, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 901, HB 1435, HB 1648

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1582, HB 1666, HB 1667, HB 1401, SB 920

Executive session will be held on: SCS SB 767, SB 770, SCS SB 1006, SCS SJR 44, HB 1583, HB 1592, HB 1499, HB 1525

HOUSE CALENDAR

FORTY-SEVENTH DAY, TUESDAY, APRIL 06, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 56

HOUSE BILLS FOR SECOND READING

HB 1715 through HB 1718

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1001 - Bearden (16)
- 2 HCS HB 1002 - Bearden (16)
- 3 HCS HB 1003 - Bearden (16)
- 4 HCS HB 1004 - Bearden (16)
- 5 HCS HB 1005 - Bearden (16)
- 6 HCS HB 1006 - Bearden (16)
- 7 HCS HB 1007 - Bearden (16)
- 8 HCS HB 1008 - Bearden (16)
- 9 HCS HB 1009 - Bearden (16)
- 10 HCS HB 1010 - Bearden (16)
- 11 HCS HB 1011 - Bearden (16)
- 12 HCS HB 1012 - Bearden (16)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford
- 2 HCS HB 1380 - Lager
- 3 HCS HB 1150 - May
- 4 HB 1092 - Deeken
- 5 HCS HB 1207 - Icet (84)
- 6 HCS HB 774 - Sander (22)
- 7 HCS HB 843, 880 & 1042 - Angst (146)
- 8 HCS HB 1099 - Reinhart (34)
- 9 HB 1424 - Stefanick (93)
- 10 HB 773 - Icet (84)
- 11 HB 1302 - Lager (4)
- 12 HCS HB 1453 - Hanaway (87)
- 13 HCS HB 1085 - Townley (112)
- 14 HCS HB 1195 - Behnen (2)
- 15 HB 1337 - Nieves (98)
- 16 HCS HB 1617 - Hanaway (87)
- 17 HB 1109 - Crawford (117)
- 18 HB 1160 - Parker (12)
- 19 HCS HB 1243, 1094 & 931 - Mayer (159)
- 20 HB 1409 - Richard (129)
- 21 HB 1664 - Hanaway (87)
- 22 HB 1665 - Hanaway (87)
- 23 HB 844 - Mayer (159)
- 24 HCS HB 1477 & 1563 - Schaaf (28)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILL FOR THIRD READING

HS HCS HB 1511 - Byrd (94)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-01-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 1029, HCA 1 - Henke (11)
- 3 HB 1114 - Skaggs (31)
- 4 HCS HB 1524 - Ransdall (148)
- 5 HCS HB 1069 - Bivins (97)
- 6 HB 1454 - Swinger (162)
- 7 HB 1462 - Bean (163)

SENATE BILL FOR THIRD READING

HCS SB 1080 - Wallace (143)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 CCR SCS HCS HB 1014, as amended - Bearden (16)
- 3 CCR HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-SEVENTH DAY, TUESDAY, APRIL 6, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Blessed are You, Lord, God of all creation, whose goodness fills our hearts with joy. Blessed are You, who have brought us together this day to work in harmony and peace and to plan what is best for all the people of our State.

Events of the last few days make it clear that our nation is still entangled in the violence of war in Iraq. Protect the men and women of our armed forces there. Grant the leaders of our nation and all the nations involved clarity of vision and right judgment to take the steps necessary for justice and true peace to take hold. Change minds and hearts that terrorist activity cease and that actions that provoke terrorism cease.

In our work today, strengthen us with Your grace and wisdom for You are God for ever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ryan Cerutti, Michael Barry, Meg Endicott, Tim Fagan, Madison Polk, Kendyl Thomas, Carrie Lewis, Kael Stoaks and Michael Penn.

The Journal of the forty-sixth day was approved as corrected.

SPECIAL RECOGNITION

Whitney Thomas was introduced by Representative Luetkemeyer and recognized as an Outstanding Missouri Student.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1449

through

House Resolution No. 1476 - Representative Black

House Resolution No. 1477

through

House Resolution No. 1488 - Representative Hanaway

House Resolution No. 1489

through

House Resolution No. 1491 - Representative Shoemyer

House Resolution No. 1492

through

House Resolution No. 1506 - Representative Wilson (119)

House Resolution No. 1507 - Representative Crowell

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 56 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1715 through **HB 1718** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1207, relating to levee districts, was taken up by Representative Icet.

Representative Icet offered **HS HCS HB 1207**.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1207, Section 245.015, Page 1, Line 16, by inserting an open bracket “[“ before the word “a” and by inserting a closed bracket “]” after the word “fourth”; and

Further amend said section, Lines 17 through 19, by striking all of said lines and inserting in lieu thereof the following:

“any city, town, or village in this state not located within any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, or in any third or fourth class city, town or village in this state which is located within any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants,”; and

Further amend said section, Page 2, Lines 1 and 2, by deleting all of said lines; and

Further amend said section, Page 2, Line 3, by deleting the words “thousand inhabitants,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Substitute for House Committee Substitute for House Bill No. 1207, Page 1, Section 245.015, Line 5, by inserting after the word “any” the following:

“**charter,**”.

Representative Dempsey moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

Representative Baker assumed the Chair.

On motion of Representative Icet, **HS HCS HB 1207, as amended**, was adopted.

On motion of Representative Icet, **HS HCS HB 1207, as amended**, was ordered perfected and printed.

BILL IN CONFERENCE

CCR SCS HCS HB 1014, as amended, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HCS HB 1014, as amended**, was adopted by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler

Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 007

Bringer	Harris 23	Johnson 90	Kuessner	Lawson
Swinger	Wilson 25			

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 006

Avery	Boykins	Brooks	Johnson 61	Page
Walton				

On motion of Representative Bearden, **CCS SCS HCS HB 1014** was read the third time and passed by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick

Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 007

Bringer	Harris 23	Johnson 90	Kuessner	Lawson
Swinger	Wilson 25			

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 007

Avery	Boykins	Brooks	Johnson 61	Shoemyer
Thompson	Walton			

Representative Baker declared the bill passed.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Stenger and Ethan Stenger.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1508	-	Representative Miller
House Resolution No. 1509	-	Representative Smith (118)
House Resolution No. 1510	-	Representative Graham
House Resolution No. 1511		
through		
House Resolution No. 1524	-	Representative Lembke
House Resolution No. 1525		
through		
House Resolution No. 1528	-	Representative Johnson (61)
House Resolution No. 1529		
through		
House Resolution No. 1535	-	Representative Wood
House Resolution No. 1536	-	Representative Muckler
House Resolution No. 1537	-	Representative Cunningham (145)
House Resolution No. 1538	-	Representative Wright
House Resolution No. 1539	-	Representative Jackson

House Resolution No. 1540 - Representative Sutherland
House Resolution No. 1541 - Representative Curls
House Resolution No. 1542
and
House Resolution No. 1543 - Representative Lipke
House Resolution No. 1544 - Representative Guest
House Resolution No. 1545 - Representative Roark
House Resolution No. 1546 - Representative Pearce

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 36, introduced by Representative Hampton, relating to the designation of March 14th as "Pi Day" in Missouri.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 57, introduced by Representatives Sager, Page, Jolly, Wildberger, Harris (110), Burnett, Kuessner, Walker, Yaeger, Fraser, Curls, Hilgemann, Jones and Hoskins, relating to the physical and mental health of children.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1719, introduced by Representatives Lembke, Portwood, Nieves and Threlkeld, relating to the motor vehicle emissions inspection program.

HB 1720, introduced by Representative Mayer, relating to aggravated trespass in a movie theater.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 1001, relating to appropriations, was taken up by Representative Bearden.

HB 1001 was laid over.

HCS HB 1002, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1002**.

Representative Baker resumed the Chair.

HCS HB 1002, with HS, pending, was laid over.

HCS HB 1003, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1003**.

Speaker Hanaway resumed the Chair.

HCS HB 1003, with HS, pending, was laid over.

HCS HB 1004, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1004**.

Representative Pearce assumed the Chair.

HCS HB 1004, with HS, pending, was laid over.

HCS HB 1005, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1005**.

Representative Lowe offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1005, Page 1, Section 5.005, Lines 4 through 6, by deleting the following language “, provided that the Commissioner does not require project labor agreements as part of any project requirement”; and

Further amend said bill, Page 3, Section 5.045, Lines 4 through 6, by deleting the following language “, provided that the Division does not require project labor agreements as part of any project requirement”.

Representative Lowe moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Abel	Baker	Barnitz	Bishop	Bland
Bringer	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schneider	Schoemehl

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Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

NOES: 086

Angst	Bean	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Brooks	Hampton	Walton
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Representative Seigfreid offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1005, Page 14, Section 5.275, Line 4, by deleting the number "\$12,000,000" and inserting the number "\$10,430,000" and adjust bill totals accordingly.

The intent of this amendment is to add "\$1,570,000" to the Department of Agriculture for the Ethanol Incentive Program.

Speaker Hanaway resumed the Chair.

Representative Seigfreid moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Barnitz	Bean	Behnen	Bringer	Brown
Burnett	Crawford	Davis 122	Dougherty	Goodman
Green	Guest	Harris 110	Henke	Hobbs
Jolly	Kelly 36	King	Kuessner	Lager
Lawson	LeVota	Mayer	Moore	Munzlinger

Myers	Quinn	Ransdall	Sager	Salva
Sander	Schaaf	Schlottach	Seigfreid	Selby
Self	Shoemyer	Skaggs	Swinger	Taylor
Threlkeld	Townley	Viebrock	Ward	Whorton
7Wildberger	Willoughby	Wilson 119	Wilson 130	Witte

NOES: 101

Abel	Angst	Baker	Bearden	Bivins
Black	Bough	Bruns	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Graham	Harris 23
Hilgemann	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jones	Kelly 144	Kingery	Kratky
Lembke	Liese	Lipke	Lowe	May
McKenna	Meadows	Meiners	Miller	Morris
Muckler	Nieves	Page	Pearce	Phillips
Portwood	Pratt	Purgason	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Schneider
Schoemehl	Shoemaker	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Thompson
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Wasson	Wilson 25	Wilson 42	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bishop	Bland	Boykins	Brooks
El-Amin	Hampton	Haywood	Luetkemeyer	Marsh
Parker	Walton			

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **House Amendment No. 2.**

Representative Roark offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1005, Page 1, Section 5.005, Line 7, by deleting the number "2,508,950" and inserting the number "2,158,899"; and

Further amend said section, Line 12, by deleting the "52.57 F.T.E." and inserting "44.57 F.T.E."; and

Further amend said bill, Page 2, Section 5.010, Line 5, by deleting the number "2,063,343" and inserting the number "1,988,859"; and

Further amend said section, Line 5, by deleting "48.00 F.T.E." and inserting "47.00 F.T.E."; and

Further amend said bill, Page 2, Section 5.030, Line 5, by deleting the number "6,750,975" and inserting the number "6,528,435"; and

Further amend said section, Line 7, by deleting "178.65 F.T.E." and inserting "175.15 F.T.E."; and

Further amend said bill, Page 3, Section 5.045, Line 7, by deleting the number "1,607,410" and inserting the number "1,476,056"; and

Further amend said section, Line 11, by deleting "85.00 F.T.E." and inserting "83.00 F.T.E."; and

Further amend said bill, Page 4, Section 5.055, Line 5, by deleting the number "2,761,602" and inserting the number "2,354,696"; and

Further amend said section, Line 9, by deleting "66.97 F.T.E." and inserting "58.97 F.T.E."; and

Further amend said bill, Page 4, Section 5.065, Line 5, by deleting the number "1,640,810" and inserting the number "1,459,310"; and

Further amend said section, Line 5, by deleting "36.00 F.T.E." and inserting "33.00 F.T.E."; and

Further amend said bill, Page 8, Section 5.145, Line 5, by deleting the number "1,142,598" and inserting the number "1,053,594"; and

Further amend said section, Line 9, by deleting "91.50 F.T.E." and inserting "90.00 F.T.E."; and

Further amend said bill, Page 9, Section 5.180, Line 3, by deleting said line and inserting in lieu thereof the following:

"Personal Service and/or Expense and Equipment provided that not more than fifteen percent (15%) flexibility is allowed	
From General Revenue	\$244,743
Personal Service	64,127
Expense and Equipment	<u>71,265</u>
From Federal Funds	<u>135,392</u>
Total (Not to exceed 4.00 F.T.E.)	\$380,135"; and

Adjust fringes, section and bill totals accordingly.

Representative Dempsey assumed the Chair.

Representative Henke offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

Representative Bearden raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is in violation of Rule 45(g).

Representative Dempsey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Roark, **House Amendment No. 3** was adopted by the following vote:

AYES: 076

Angst	Baker	Barnitz	Bean	Behnen
Bough	Brown	Cooper 120	Cooper 155	Crowell
Cunningham 145	Cunningham 86	Davis 19	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Jetton	Kelly 144	King	Kingery
Kuessner	Lager	Lembke	Lipke	Marsh
May	Mayer	McKenna	Miller	Morris
Munzlinger	Nieves	Parker	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Selby	Self	Shoemaker	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 074

Abel	Bearden	Bishop	Bivins	Black
Bringer	Bruns	Burnett	Byrd	Campbell
Carnahan	Corcoran	Crawford	Curls	Darrough
Davis 122	Deeken	Donnelly	El-Amin	Engler
Fares	Fraser	George	Graham	Harris 110
Harris 23	Henke	Hilgemann	Holand	Hoskins
Hubbard	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	LeVota	Liese	Lowe
Luetkemeyer	Meadows	Meiners	Moore	Muckler
Page	Pearce	Ransdall	Sager	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Ward	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 005

Bland	Green	Haywood	Kratky	Salva
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ABSENT WITH LEAVE: 008

Avery	Boykins	Brooks	Daus	Hampton
Lawson	Myers	Walton		

Representative Roark offered **House Amendment No. 4.**

House Amendment No. 4 was withdrawn.

Representative Roark offered **House Amendment No. 5.**

Representative Burnett raised a point of order that **House Amendment No. 5** amends previously amended material.

Speaker Hanaway resumed the Chair.

The point of order on **House Amendment No. 5** was withdrawn.

House Amendment No. 5 was withdrawn.

Representative Crowell, having voted on the prevailing side, moved that the vote by which **House Amendment No. 3** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 003

George	Haywood	Lowe
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ABSENT WITH LEAVE: 006

Avery	Boykins	Brooks	Hampton	Sager
Walton				

House Amendment No. 3 was withdrawn.

Representative Roark offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1005, Page 1, Section 5.005, Line 7, by deleting the number “2,508,950” and inserting the number “2,158,899”; and

Further amend said section, Line 12, by deleting the “52.57 F.T.E.” and inserting “44.57 F.T.E.”; and

Further amend said bill, Page 2, Section 5.010, Line 5, by deleting the number “2,063,343” and inserting the number “1,988,859”; and

Further amend said section, Line 5, by deleting “48.00 F.T.E.” and inserting “47.00 F.T.E.”; and

Further amend said bill, Page 2, Section 5.030, Line 5, by deleting the number “6,750,975” and inserting the number “6,528,435”; and

Further amend said section, Line 7, by deleting “178.65 F.T.E.” and inserting “175.15 F.T.E.”; and

Further amend said bill, Page 3, Section 5.045, Line 7, by deleting the number “1,607,410” and inserting the number “1,476,056”; and

Further amend said section, Line 11, by deleting “85.00 F.T.E.” and inserting “83.00 F.T.E.”; and

Further amend said bill, Page 4, Section 5.055, Line 5, by deleting the number “2,761,602” and inserting the number “2,354,696”; and

Further amend said section, Line 9, by deleting “66.97 F.T.E.” and inserting “58.97 F.T.E.”; and

Further amend said bill, Page 4, Section 5.065, Line 5, by deleting the number “1,640,810” and inserting the number “1,459,310”; and

Further amend said section, Line 5, by deleting “36.00 F.T.E.” and inserting “33.00 F.T.E.”; and

Further amend said bill, Page 8, Section 5.145, Line 5, by deleting the number “1,142,598” and inserting the number “1,053,594”; and

Further amend said section, Line 9, by deleting “91.50 F.T.E.” and inserting “90.00 F.T.E.”; and

Adjust fringes, section and bill totals accordingly.

Representative Roark moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Angst	Baker	Bean	Bearden	Behnen
Bivins	Bough	Brown	Byrd	Cooper 120
Cooper 155	Crowell	Cunningham 145	Cunningham 86	Davis 19
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Goodman	Guest	Hobbs
Hunter	Icey	Jackson	Jetton	Kelly 144
King	Kingery	Lager	Lembke	Lipke

May	Mayer	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schneider	Self	Shoemaker	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 081

Abel	Barnitz	Bishop	Black	Bland
Bringer	Bruns	Burnett	Campbell	Carnahan
Corcoran	Crawford	Curls	Darrough	Daus
Davis 122	Deeken	Donnelly	El-Amin	Engler
Fares	Fraser	George	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Holand	Hoskins	Hubbard	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
Luetkemeyer	McKenna	Meadows	Meiners	Miller
Moore	Muckler	Page	Ransdall	Sager
Salva	Schlottach	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Smith 118	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Boykins	Brooks	Hampton	Marsh
Walton				

HCS HB 1005, with HS, pending, was laid over.

HCS HB 1006, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1006.**

Speaker Pro Tem Jetton resumed the Chair.

HCS HB 1006, with HS, pending, was laid over.

HCS HB 1007, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1007.**

Representative Barnitz offered **House Amendment No. 1.**

Representative Bearden raised a point of order that **House Amendment No. 1** has increasing and decreasing amounts in the same amendment and is out of order.

The Chair ruled the point of order well taken.

Representative Barnitz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1007, Pages 2-3, Section 7.020, by deleting lines 33 through 35, and inserting in lieu thereof the following:

“For Rolla Innovation Center	350,000
For Southeast Missouri Innovation Center	350,000
For St. Louis Innovation Center	360,000”.

Representative Barnitz moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Bearden offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1007, Page 17, Section 7.800, Line 5, by deleting the number “390,713383,052E” and inserting in lieu thereof the following:

“Personal Service	390,713E”.
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On motion of Representative Bearden, **House Amendment No. 3** was adopted.

Representative Bearden offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1007, Page 1, Section 7.005, Line 5, by deleting the number “1,699,680” and inserting in lieu thereof the number “1,698,726”; and

Further amend said section, Line 6, by deleting the number “3,879,205” and inserting in lieu thereof the number “3,876,887”; and

Further amend said bill, Page 17, Section 7.800, Line 9, by deleting the number “6,236,323” and inserting in lieu thereof the number “6,229,049” and adjust section totals and bill totals accordingly.

On motion of Representative Bearden, **House Amendment No. 4** was adopted.

HCS HB 1007, with HS, as amended, pending, was laid over.

HCS HB 1008, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1008**.

Representative Harris (110) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1008, Pages 11-12, Section 8.150, Line 5, by deleting the number "5,646,625" and inserting the number "5,540,364" and adjusting the section total and bill totals accordingly.

The intent of this amendment is to reduce Water Patrol funding by \$106,261 and using the same for the Dam Safety Inspection Program.

Representative Harris (110) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

HCS HB 1008, with HS, pending, was laid over.

HCS HB 1009, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1009**.

Representative Moore offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1009, Page 4, Section 9.100, Line 12, by deleting said line and inserting in lieu thereof the following:

"Total (Not to exceed 283.16 F.T.E.) \$9,180,262".

On motion of Representative Moore, **House Amendment No. 1** was adopted.

Representative Harris (110) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1009, Page 8, Section 9.280, Line 3, by inserting immediately after the word "Center" the following:

", provided that the Department of Corrections adjusts its staffing equalization plan for correctional officers at Potosi to restore enough correctional officers to reflect the needs of a C5 level facility which has severe and unique custody requirements".

On motion of Representative Harris (110), **House Amendment No. 2** was adopted.

HCS HB 1009, with HS, as amended, pending, was laid over.

HCS HB 1008, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Riback Wilson (25) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1008, Page 13, Section 8.175, Lines 10-11, by deleting said lines and adjusting the section total accordingly.

The intent of this amendment is to add funding to the Missouri Veterans Homes.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 067

Abel	Barnitz	Bishop	Bland	Bringer
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Harris 110	Harris 23	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Boykins	Brooks	Hampton	Haywood
Lawson	Marsh	Smith 118	Walton	

Representative Riback Wilson (25) moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Abel	Barnitz	Bean	Bishop	Black
Bough	Bringer	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Engler	Fraser
George	Graham	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Holand	Hoskins	Hubbard
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kuessner	LeVota	Liese	Lowe
Mayer	McKenna	Meadows	Meiners	Muckler
Page	Pearce	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

NOES: 078

Angst	Baker	Bearden	Behnen	Bivins
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 19
Decken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Jetton
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bland	Boykins	Brooks	Green
Hampton	Kratky	Lawson	Marsh	Walton

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **House Amendment No. 2.**

Speaker Hanaway resumed the Chair.

Representative Cooper (120) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1008, Page 20, Section 8.300, Line 4, by deleting the number “\$26,371,000E” and inserting the number “\$25,371,000; and

Adjust bill totals accordingly.

The intent of this amendment is fund veterans homes.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Icet	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 067

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrough
Daus	Davis 122	Donnelly	Dougherty	El-Amin
Fraser	George	Graham	Green	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Ward	Whorton	Wildberger

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Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 010

Abel	Avery	Boykins	Brooks	Hampton
Hunter	Lawson	Marsh	Smith 118	Walton

On motion of Representative Cooper (120), **House Amendment No. 3** was adopted by the following vote:

AYES: 096

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Goodman	Graham	Guest
Harris 23	Hobbs	Hunter	Jackson	Jetton
Johnson 47	Kelly 144	Kelly 36	King	Kingery
Kuessner	Lager	Lembke	Lipke	Luetkemeyer
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Schaaf	Schlottach	Schneider
Selby	Self	Shoemaker	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wagner	Walker	Wallace
Ward	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wood	Wright	Yates	Zweifel
Madam Speaker				

NOES: 056

Bishop	Bland	Bringer	Burnett	Byrd
Campbell	Corcoran	Cunningham 86	Curls	Darrough
Davis 122	Donnelly	El-Amin	Fraser	George
Green	Harris 110	Haywood	Henke	Hilgemann
Holand	Hoskins	Hubbard	Icet	Johnson 61
Jolly	Jones	Kratky	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Salva	Sander	Schoemehl
Seigfreid	Shoemyer	Skaggs	Smith 118	Spreng
Swinger	Thompson	Villa	Vogt	Walsh
Wildberger	Wilson 25	Wilson 42	Witte	Yaeger
Young				

PRESENT: 000

ABSENT WITH LEAVE: 011

Abel	Avery	Boykins	Brooks	Daus
Fares	Hampton	Johnson 90	Lawson	Marsh
Walton				

Representative Cooper (120) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1008, Page 20, Section 8.285, Line 4, by deleting the number "\$6,000,000" and inserting the number "\$7,000,000"; and

Further amend said bill, Page 14, Section 8.185, Line 7, by deleting the number "45,038,051" and inserting the number "46,038,051" and adjust section and bill totals accordingly.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 063

Barnitz	Bishop	Bland	Bringer	Burnett
Carnahan	Curls	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Ward	Whorton

Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 012

Abel	Avery	Boykins	Brooks	Campbell
Corcoran	Darrough	Hampton	Lawson	Marsh
Selby	Walton			

On motion of Representative Cooper (120), **House Amendment No. 4** was adopted.

HCS HB 1008, with HS, as amended, pending, was laid over.

HCS HB 1007, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Johnson (61) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1007, Page 9, Section 7.130, Line 5, by deleting the number “4,500,000E” and inserting the number “\$4,450,000E” and adjust bill totals accordingly.

On motion of Representative Johnson (61), **House Amendment No. 5** was adopted.

Representative Johnson (61) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1007, Page 3, Section 7.020, Line 39, by inserting immediately thereafter said line the following:

“For the Juneteenth Heritage and Jazz Festival and Memorial Fund \$1E”; and

Further amend the bill by adjusting the section total and bill totals accordingly.

On motion of Representative Johnson (61), **House Amendment No. 6** was adopted.

HCS HB 1007, with HS, as amended, pending, was laid over.

HCS HB 1005, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Barnitz offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1005, Page 1, Section 5.005, Line 7, by deleting the number “2,508,950” and inserting the number “2,158,899”; and

Further amend said section, Line 12, by deleting the “52.57 F.T.E.” and inserting “44.57 F.T.E.”; and

Further amend said bill, Page 2, Section 5.030, Line 5, by deleting the number “6,750,975” and inserting the number “6,528,435”; and

Further amend said section, Line 7, by deleting “178.65 F.T.E.” and inserting “175.15 F.T.E.”; and

Further amend said bill, Page 3, Section 5.045, Line 7, by deleting the number “1,607,410” and inserting the number “1,477,556”; and

Further amend said section, Line 11, by deleting “85.00 F.T.E.” and inserting “83.00 F.T.E.”; and

Adjust fringes, section and bill totals accordingly.

The intent of this amendment is to increase funding for the Ethanol Incentives Fund.

On motion of Representative Barnitz, **House Amendment No. 7** was adopted.

HCS HB 1005, with HS, as amended, pending, was laid over.

HCS HB 1006, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Barnitz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1006, Page 2, Section 6.010, Line 5, by deleting the number “4,367,800” and inserting the number “5,367,800”; and

Adjust section total accordingly; and

Further amend said bill, Section 6.015, Line 3, by deleting the number “5,367,800E” and inserting “6,367,800E”; and

Adjust bill totals accordingly.

On motion of Representative Barnitz, **House Amendment No. 1** was adopted.

HCS HB 1006, with HS, as amended, pending, was laid over.

HCS HB 1010, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1010**.

HCS HB 1010, with HS, pending, was laid over.

HCS HB 1011, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1011**.

Representative Bringer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1011, Page 26, Section 11.475, Line 13, by deleting the number "177,257,378" and inserting the number "174,521,378"; and

Further amend said section, Line 18, by deleting the number "800,833,309" and inserting the number "798,097,309"; and

Further amend said bill, Pages 26-29, Section 11.480, Line 23, by deleting the number "44,418,422" and inserting the number "42,354,422"; and

Further amend said section, Line 68, by deleting the number "662,796,187" and inserting the number "660,732,187"; and

Adjust bill totals accordingly.

Representative Bringer moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Fraser offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1011, Section 11.435, Page 22, Line 11, by deleting the number "273,271,933" and inserting the number "268,935,231"; and

Further amend said section, Line 12, by deleting the number "709,318,929" and inserting the number "685,767,576"; and

Further amend said section, Line 19, by deleting the number "1,161,669,341" and inserting the number "1,133,781,286"; and

Further amend said bill, Section 11.450, Page 23, Line 15, by deleting the number "131,332,792" and inserting the number "128,170,977"; and

Further amend said section, Line 16, by deleting the number "216,712,566" and inserting the number "211,719,067"; and

Further amend said section, Line 20, by deleting the number "352,951,936" and inserting the number "344,796,622"; and

Further amend said bill, Section 11.455, Page 23, Line 8, by deleting the number "5,550,878" and inserting the number "5,298,207"; and

Further amend said section, Line 9, by deleting the number “9,587,719” and inserting the number “9,188,672”; and

Further amend said section, Line 12, by deleting the number “16,058,532” and inserting the number “15,406,814”; and

Further amend said bill, Section 11.460, Page 24, Line 7, by deleting the number “36,857,532” and inserting the number “35,733,483”; and

Further amend said section, Line 8, by deleting the number “59,452,546” and inserting the number “57,677,319”; and

Further amend said section, Line 9, by deleting the number “96,310,078” and inserting the number “93,410,802”; and

Further amend said bill, Section 11.465, Pages 24-25, Line 26, by deleting the number “114,324,981” and inserting the number “109,950,547”; and

Further amend said section, Line 27, by deleting the number “180,806,626” and inserting the number “173,898,020”; and

Further amend said section, Line 41, by deleting the number “720,677,386” and inserting the number “709,394,346”; and

Further amend said bill, Section 11.470, Pages 25-26, Line 14, by deleting the number “44,271,998” and inserting the number “42,549,838”; and

Further amend said section, Line 15, by deleting the number “71,540,337” and inserting the number “68,820,505”; and

Further amend said section, Line 21, by deleting the number “11,254,770” and inserting the number “10,514,438”; and

Further amend said section, Line 22, by deleting the number “18,371,370” and inserting the number “17,631,038”; and

Further amend said section, Line 23, by deleting the number “146,465,101” and inserting the number “140,542,445”; and

Further amend said bill, Section 11.480, Pages 26-29, Line 23, by deleting the number “44,418,422” and inserting the number “41,446,081”; and

Further amend said section, Line 24, by deleting the number “371,957,205” and inserting the number “367,262,946”; and

Further amend said section, Line 68, by deleting the number “662,796,187” and inserting the number “655,129,587” and adjust bill totals accordingly.

The intent of this amendment is to restore adult FPL to 77%.

Representative Fraser moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

NOES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Iceet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Johnson 61	Lawson
Marsh	Schneider	Walton		

Representative Donnelly offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1011, Page 26, Section 11.475, Line 13, by deleting the number "177,257,378" and inserting the number "173,257,378"; and

Further amend said section, Line 18, by deleting the number "800,833,309" and inserting the number "796,833,309"; and

Further amend said bill, Section 11.480, Pages 26-29, Line 23, by deleting the number "44,418,422" and inserting the number "42,718,422"; and

Further amend said section, Line 68, by deleting the number “662,796,187” and inserting the number “661,096,187”; and

Adjust bill totals accordingly.

The purpose of this amendment is to restore funding to the CHIPS program.

Representative Donnelly moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Wagner	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

NOES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Icet	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Schneider	Vogt	Walton		

HCS HB 1011, with HS, pending, was laid over.

HCS HB 1012, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HCS HB 1012**.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1012, Page 1, Section 12.005, Line 2, by deleting the number "1,856,248" and inserting the number "1,853,846"; and

Further amend said bill, Page 2, Section 12.030, Line 3, by deleting the number "411,632" and inserting the number "410,088"; and

Further amend said bill, Page 2, Section 12.040, Line 3, by deleting the number "9,119,510" and inserting the number "9,117,581"; and

Further amend said bill, Page 4, Section 12.150, Line 3, by deleting the number "6,544,490" and inserting the number "6,542,561"; and

Further amend said bill, Page 5, Section 12.155, Line 3, by deleting the number "1,718,787" and inserting the number "1,716,858"; and

Further amend said bill, Page 6, Section 12.210, Line 3, by deleting the number "11,846,811" and inserting the number "11,844,724"; and

Further amend said bill, Page 8, Section 12.300, Line 5, by deleting the number "4,167,858" and inserting the number "4,150,588"; and

Further amend said bill, Page 10, Section 12.340, Line 5, by deleting the number "3,430,662" and inserting the number "3,405,362"; and

Further amend said bill, Page 10, Section 12.345, Line 5, by deleting the number "4,442,092" and inserting the number "4,409,792"; and

Further amend said bill, Page 10, Section 12.350, Line 5, by deleting the number "2,306,075" and inserting the number "2,289,975"; and

Further amend said bill, Page 11, Section 12.355, Line 5, by deleting the number "111,011,483" and inserting the number "110,360,603"; and

Further amend said bill, Page 13, Section 12.500, Line 2, by deleting the number "1,092,877" and inserting the number "1,071,448"; and

Further amend said bill, Page 14, Section 12.505, by deleting the number "5,219,629" and inserting the number "5,117,283"; and amend section and bill totals accordingly.

Representative Behnen assumed the Chair.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

Speaker Hanaway resumed the Chair.

HCS HB 1012, with HS, as amended, pending, was laid over.

HCS HB 1004, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Bearden offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1004, Page 16, Section 4.330, Line 5, by deleting the number "150,000" and inserting the number "450,000"; and

Amend section and bill totals accordingly.

Representative Behnen resumed the Chair.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

HCS HB 1004, with HS, as amended, pending, was laid over.

HCS HB 1005, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Bearden offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1005, Page 9, Section 5.180, Line 3, by deleting said line and inserting in lieu thereof the following:

"Personal Service and/or Expense and Equipment provided that not more than fifteen percent (15%) flexibility is allowed

From General Revenue	\$244,743
Personal Service	64,127
Expense and Equipment	<u>71,265</u>
From Federal Funds	<u>135,392</u>
Total (Not to exceed 4.00 F.T.E.)	\$380,135"; and

Adjust bill totals accordingly.

Speaker Hanaway resumed the Chair.

On motion of Representative Bearden, **House Amendment No. 8** was adopted.

HCS HB 1005, with HS, as amended, pending, was laid over.

HCS HB 1006, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Bearden offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1006, Page 16, Section 6.305, Line 5, by deleting the number "\$2,320,162" and inserting the number "\$2,426,423"; and

Further amend said section, Line 9, by deleting the number "122.74" and inserting the number "124.74"; and

Further amend said section, Line 9, by deleting the number "\$5,882,222" and inserting the number "\$5,988,483" and adjusting bill totals accordingly.

On motion of Representative Bearden, **House Amendment No. 2** was adopted.

HCS HB 1006, with HS, as amended, pending, was laid over.

HCS HB 1011, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Bearden offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1011, Page 16, Section 11.230, Line 4, by deleting the number "1,749,583" and inserting the number "1,840,632"; and

Further amend section and bill totals accordingly.

On motion of Representative Bearden, **House Amendment No. 4** was adopted.

HCS HB 1011, with HS, as amended, pending, was laid over.

HCS HB 1012, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Johnson (90) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1012, Page 11, Section 12.355, Line 5, by deleting the number "111,011,483" and inserting the number "110,953,163"; and

Further amend section and bill totals accordingly.

On motion of Representative Johnson (90), **House Amendment No. 2** was adopted.

HCS HB 1012, with HS, as amended, pending, was laid over.

HCS HB 1011, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Johnson (90) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1011, Page 16, Section 11.280, Line 4, by deleting the number "1,749,583" and inserting the number "1,807,903"; and

Adjust bill totals accordingly.

On motion of Representative Johnson (90), **House Amendment No. 5** was adopted.

HCS HB 1011, with HS, as amended, pending, was laid over.

HCS HB 1012, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Cooper (120) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1012, Page 5, Section 12.155, Line 3, by deleting the number "1,718,787" and inserting in lieu thereof the number "1,668,787"; and

Further amend said section, Line 12, by deleting the number "2,234,476" and inserting in lieu thereof the number "2,184,476"; and

Adjust bill totals accordingly.

The intent of this amendment is to add funding in HB 1003, Section 3.080 for the Vietnam Veterans Survivors Scholarship Program.

On motion of Representative Cooper (120), **House Amendment No. 3** was adopted.

HCS HB 1012, with HS, as amended, pending, was laid over.

HCS HB 1003, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1003, Page 4, Section 3.080, Line 4, by deleting the number "33,570" and inserting in lieu thereof the number "83,570" and adjust bill totals accordingly.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

HCS HB 1003, with HS, as amended, pending, was laid over.

HB 1001, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HB 1001** was ordered perfected and printed by the following vote:

AYES: 146

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Pratt	Reinhart	Schneider	Smith 118	Vogt
Walton	Whorton			

HCS HB 1002, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1002** was adopted.

On motion of Representative Bearden, **HS HCS HB 1002** was ordered perfected and printed by the following vote:

AYES: 096

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
George	Goodman	Guest	Harris 110	Hobbs
Hunter	Iceet	Jackson	Jetton	Johnson 47
Kelly 144	Kelly 36	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Seigfreid	Self	Shoemaker
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Whorton
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 053

Bishop	Bland	Bringer	Burnett	Campbell
Carnahan	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	Graham	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kratky	Kuessner
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Spreng	Thompson
Villa	Wagner	Walker	Walsh	Ward
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1003, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1003, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1003, as amended**, was ordered perfected and printed by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Townley
Viebrock	Wallace	Wasson	Whorton	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 064

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Pearce	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Threlkeld	Villa	Wagner	Walker	Walsh
Ward	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1004, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Kuessner offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1004, Page 15, Section 4.300, by deleting said section in its entirety.

The intent of this amendment is to fund MC+ for children in House Bill 1011.

Representative Crowell raised a point of order that **House Amendment No. 2** is out of order pursuant to Rule 45(g)(5).

The Chair ruled the point of order not well taken.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 064

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Wagner	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

Representative Kuessner moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 043

Barnitz	Bishop	Bringer	Darrough	Davis 122
Dixon	Donnelly	Dougherty	El-Amin	Engler
Fraser	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 90	Jones
Kelly 36	King	Kuessner	LeVota	Meadows
Morris	Muckler	Sager	Salva	Shoemyer
Skaggs	Swinger	Wagner	Wallace	Ward
Whorton	Wildberger	Willoughby	Wilson 42	Witte
Yaeger	Young	Zweifel		

NOES: 098

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bland	Bough	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 19	Deeken	Dempsey
Dethrow	Dusenberg	Emery	Ervin	Fares
George	Goodman	Graham	Guest	Hobbs
Hunter	Jackson	Jetton	Johnson 47	Jolly
Kelly 144	Kingery	Kratky	Lager	Lembke
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meiners	Miller	Moore
Munzlinger	Myers	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Villa
Walsh	Wilson 119	Wilson 130	Wilson 25	Wood
Wright	Yates	Madam Speaker		

PRESENT: 002

Johnson 61	Viebrock
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ABSENT WITH LEAVE: 020

Abel	Avery	Boykins	Brooks	Burnett
Corcoran	Green	Hampton	Holand	Ice
Lawson	Marsh	Nieves	Ransdall	Reinhart
Schneider	Vogt	Walker	Walton	Wasson

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Ward	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 061

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Harris 110	Harris 23	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Jolly
Jones	Kelly 36	Kratky	Kuessner	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Wagner
Walker	Walsh	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Haywood	Holand	Johnson 90
Lawson	Marsh	Reinhart	Schneider	Vogt
Walton				

On motion of Representative Bearden, **HS HCS HB 1004, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1004, as amended**, was ordered perfected and printed by the following vote:

AYES: 092

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Campbell	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	Kelly 36	King
Kingery	Lager	Lembke	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Richard
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 056

Barnitz	Bishop	Bland	Bringer	Burnett
Carnahan	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	Graham	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kratky	Kuessner	LeVota	McKenna	Meadows
Meiners	Muckler	Ransdall	Roark	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Swinger	Thompson	Villa	Wagner	Walker
Walsh	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 001

George

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1005, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1005, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1005, as amended**, was ordered perfected and printed by the following vote:

AYES: 086

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Graham
Guest	Harris 110	Harris 23	Hobbs	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
Kelly 36	King	Kingery	Lager	Lembke
Luetkemeyer	May	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Purgason	Quinn	Rector
Richard	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Walker	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Madam Speaker				

NOES: 063

Bishop	Bland	Bringer	Burnett	Campbell
Carnahan	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Goodman
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kratky
Kuessner	LeVota	Liese	Lipke	Lowe
Mayer	McKenna	Meadows	Meiners	Muckler
Page	Pratt	Ransdall	Roark	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Wagner	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Yates	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1006, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1006, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1006, as amended**, was ordered perfected and printed by the following vote:

AYES: 098

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	George	Goodman	Guest
Harris 110	Hobbs	Hunter	Icet	Jackson
Jetton	Johnson 47	Kelly 144	Kelly 36	King
Kingery	Lager	Lembke	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Seigfreid	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Walsh	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 051

Bishop	Bland	Bringer	Burnett	Carnahan
Darrough	Daus	Donnelly	El-Amin	Fraser
Graham	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kratky	Kuessner	LeVota	McKenna
Meadows	Meiners	Muckler	Ransdall	Sager
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Wagner
Walker	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1007, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1007, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1007, as amended**, was ordered perfected and printed by the following vote:

AYES: 103

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bland	Bough	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	Goodman	Guest	Harris 110
Hobbs	Hunter	Iceet	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Lager	Lembke
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Seigfreid
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Willoughby	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Madam Speaker		

NOES: 045

Barnitz	Bishop	Bringer	Burnett	Carnahan
Darrrough	Daus	Davis 122	Donnelly	El-Amin
Graham	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 90	Kratky	Kuessner
LeVota	McKenna	Meadows	Muckler	Ransdall
Sager	Salva	Schoemehl	Selby	Shoemyer
Spreng	Swinger	Thompson	Villa	Wagner
Walker	Walsh	Ward	Whorton	Wildberger
Wilson 25	Witte	Yaeger	Young	Zweifel

PRESENT: 001

George

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1008, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1008, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1008, as amended**, was ordered perfected and printed by the following vote:

AYES: 105

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Goodman
Guest	Harris 110	Hobbs	Hoskins	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 90
Kelly 144	Kelly 36	King	Kingery	Lager
Lembke	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Seigfreid	Self
Shoemaker	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wagner	Wallace	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 044

Bland	Bringer	Burnett	Carnahan	Curls
Darrough	Daus	Fraser	George	Graham
Harris 23	Haywood	Henke	Hilgemann	Hubbard
Johnson 61	Jolly	Jones	Kratky	Kuessner
LeVota	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Selby	Shoemyer	Spreng	Swinger	Thompson
Villa	Walker	Walsh	Ward	Wildberger
Wilson 25	Wilson 42	Witte	Young	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1009, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1009, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1009, as amended**, was ordered perfected and printed by the following vote:

AYES: 101

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Harris 110	Hobbs	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lembke
Lipke	Lowe	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Seigfreid	Self	Shoemaker
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wagner	Wallace	Wasson	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Madam Speaker				

NOES: 048

Bishop	Bringer	Burnett	Carnahan	Darrough
Daus	El-Amin	Fraser	George	Graham
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kuessner	LeVota	Liese	McKenna	Meadows
Meiners	Muckler	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Spreng	Swinger
Thompson	Villa	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1010, with HS, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1010**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1010**, was ordered perfected and printed by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Iceet	Jackson	Jetton
Johnson 61	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 062

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 90
Jones	Kelly 36	Kratky	Kuessner	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Wagner
Walker	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1011, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1011, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1011, as amended**, was ordered perfected and printed by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Jetton
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 064

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Wagner	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

HCS HB 1012, with HS, as amended, pending, relating to appropriations, was again taken up by Representative Bearden.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell

Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 064

Barnitz	Bishop	Bland	Bringer	Burnett
Campbell	Carnahan	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	El-Amin	Fraser
George	Graham	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Wagner	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Brooks	Corcoran
Green	Hampton	Holand	Lawson	Marsh
Reinhart	Schneider	Vogt	Walton	

On motion of Representative Bearden, **HS HCS HB 1012, as amended**, was adopted.

On motion of Representative Bearden, **HS HCS HB 1012, as amended**, was ordered perfected and printed by the following vote:

AYES: 097

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Harris 110	Hobbs
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	Kelly 36	King	Kingery	Kratky
Lager	Lembke	Lipke	Lowe	Luetkemeyer
May	Mayer	Miller	Moore	Morris

Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Seigfreid
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Viebrock	Wagner	Wallace	Ward
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Zweifel			

NOES: 047

Bland	Bringer	Burnett	Carnahan	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Haywood	Henke	Hilgemann
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kuessner	LeVota	Liese	McKenna	Meadows
Meiners	Muckler	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Spreng	Swinger
Thompson	Villa	Walker	Walsh	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young			

PRESENT: 000

ABSENT WITH LEAVE: 019

Abel	Avery	Boykins	Brooks	Corcoran
Dougherty	Graham	Green	Hampton	Holand
Hoskins	Lawson	Marsh	Reinhart	Schneider
Townley	Vogt	Walton	Madam Speaker	

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 710**, entitled:

An act to repeal sections 210.104, 210.107, 300.330, 300.410, 307.178, 307.180, 565.024, 565.060, and 565.070, RSMo, and to enact in lieu thereof seventeen new sections relating to motor vehicle safety, with penalty provisions and an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1014**, as **amended**, and has taken up and passed **CCS SCS HCS HB 1014**.

CONFERENCE COMMITTEE REPORT #2 ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 739

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 739, with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 739, as amended;
2. That the Senate recede from its position on Senate Bill No. 739;
3. That the attached Conference Committee Substitute #2 for House Committee Substitute for Senate Bill No. 739, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. David Klindt
/s/ Sen. Sarah Steelman
/s/ Sen. John Cauthorn
/s/ Sen. Harry Kennedy
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Peter Myers
/s/ Rep. Therese Sander
/s/ Rep. Otto Bean
/s/ Rep. Rachel Bringer
/s/ Rep. Jim Whorton

ADJOURNMENT

On motion of Representative Crowell, the House adjourned as of 2:41 a.m., Wednesday, April 7, 2004, until 10:00 a.m., Wednesday, April 7, 2004.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-sixth Day, Monday, April 5, 2004, Pages 925 and 926, roll call, by showing Representative George voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Wednesday, April 7, 2004, 8:30 a.m. Hearing Room 3.
Bills that may be assigned or referred to committee for fiscal review.
Possible Executive session. CANCELLED

CHILDREN AND FAMILIES

Wednesday, April 14, 2004, 8:00 a.m. Hearing Room 1.
Public hearings to be held on: HB 1339, HB 1296, SJR 29

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 1609, HB 1602, SCS SB 1040, SCS SB 901

EDUCATION

Wednesday, April 7, 2004, Hearing Room 4 upon morning adjournment.

Public hearings to be held on: SCS SB 945, SCR 32, SB 803, SB 1323,
SS SCS SB 968, SCS SB 969, SB 1257

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1181, HB 1597, SCS SB 1155

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 8, 2004, Senate Lounge upon morning adjournment.

5 CSR 100-200.170 DESE Commission for the Deaf and Hard of hearing -
Board for certification of interpreters-skill level standards. AMENDED

JUDICIARY

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 986, HB 1312, HB 1458, HB 1675, HB 1588, SB 1007, SB 1162

Executive session will be held on: HB 1143, HB 1148, HB 1229, HB 1588, HB 1646, HB 1675,
HCR 13, HB 1065

LOCAL GOVERNMENT

Thursday, April 8, 2004, 8:15 a.m. Hearing Room 6.

Public hearings to be held on: SCS SB 1331, SCS SB 1093,
SCS SB 1106, SB 1107, SCS SB 700, SCS SB 1075, SCS SB 1212

Executive session will be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 8, 2004, 8:00 a.m. Hearing Room 7.

Executive session will be held on: HB 1671, SCS SBs 1020, 889 & 869, SB 1052, SCS SB 1253

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1582, HB 1666, HB 1667, HB 1401, SB 920

Executive session will be held on: SCS SB 767, SB 770, SCS SB 1006,
SCS SJR 44, HB 1583, HB 1592, HB 1499, HB 1525

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 7, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: SB 966

HOUSE CALENDAR

FORTY-EIGHTH DAY, WEDNESDAY, APRIL 7, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 36

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 57

HOUSE BILLS FOR SECOND READING

HB 1719 and HB 1720

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 774 - Sander (22)
- 6 HCS HB 843, 880 & 1042 - Angst (146)
- 7 HCS HB 1099 - Reinhart (34)
- 8 HB 1424 - Stefanick (93)
- 9 HB 773 - Icet (84)
- 10 HB 1302 - Lager (4)
- 11 HCS HB 1453 - Hanaway (87)
- 12 HCS HB 1085 - Townley (112)
- 13 HCS HB 1195 - Behnen (2)
- 14 HB 1337 - Nieves (98)
- 15 HCS HB 1617 - Hanaway (87)
- 16 HB 1109 - Crawford (117)
- 17 HB 1160 - Parker (12)
- 18 HCS HB 1243, 1094 & 931 - Mayer (159)
- 19 HB 1409 - Richard (129)
- 20 HB 1664 - Hanaway (87)
- 21 HB 1665 - Hanaway (87)
- 22 HB 844 - Mayer (159)
- 23 HCS HB 1477 & 1563 - Schaaf (28)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HB 1001 - Bearden (16)
- 2 HS HCS HB 1002 - Bearden (16)
- 3 HS HCS HB 1003 - Bearden (16)
- 4 HS HCS HB 1004 - Bearden (16)
- 5 HS HCS HB 1005 - Bearden (16)
- 6 HS HCS HB 1006 - Bearden (16)
- 7 HS HCS HB 1007 - Bearden (16)
- 8 HS HCS HB 1008 - Bearden (16)
- 9 HS HCS HB 1009 - Bearden (16)
- 10 HS HCS HB 1010 - Bearden (16)
- 11 HS HCS HB 1011 - Bearden (16)
- 12 HS HCS HB 1012 - Bearden (16)

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1511 - Byrd (94)
- 2 HS HCS HB 1207 - Icet (84)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-01-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 883 - Graham (24)
- 2 HB 1029, HCA 1 - Henke (11)
- 3 HB 1114 - Skaggs (31)
- 4 HCS HB 1524 - Ransdall (148)
- 5 HCS HB 1069 - Bivins (97)
- 6 HB 1454 - Swinger (162)
- 7 HB 1462 - Bean (163)

SENATE BILL FOR SECOND READING

SCS SB 710

SENATE BILL FOR THIRD READING

HCS SB 1080 - Wallace (143)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 CCR #2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-EIGHTH DAY, WEDNESDAY, APRIL 7, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we are encouraged this morning by Your Word, which says, "God keeps every promise He makes. He is like a shield for all who seek His protection." We are thankful this morning that You are a shield for us. We don't take Your protection over us for granted.

You cause our hearts to laugh and a song to flow from our mouth as we begin this day. The joy of Your way increases every day as You reach out to us in love.

We expect Your mercy and grace to flow in our lives today. We know conflict awaits us, but we won't be distracted from purpose.

To You be the glory, both now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Eric German Doelling, Sarah Anne Tucker, Paige Glenn Crowley, Matthew Quintez Dorsey, Quinn Robert Hacke, Amanda Lynn Thompson, Jack Hunt, James Hunt, Ariel Phythian, Michael Reagan, Gail Scheibel, Alicia Vonderheid, Andrea Payne, Jessica McNees, Stephanie Riordan, Emily Nash, Benjamin Alexander Bradshaw, Austin Head, Olivia Breting, Jeremy Buch, Matthew Crawford, Katie Forsyth, Sara Mathew, Leeanna Mickle, Morgan Quinn, Brooklyn Shear, Andrea Wu, Catherine Neiner and Theresa Wohldmann.

The Journal of the forty-seventh day was approved as corrected.

SPECIAL RECOGNITION

Carol Journagan was introduced by Representative Pratt and recognized as an Outstanding Missourian.

Tom Diveley was introduced by Representatives Davis (19) and Bough and recognized as an Outstanding Missouri student.

HOUSE RESOLUTIONS

Representative Morris, et al, offered House Resolution No. 1547.
Representative Ward, et al, offered House Resolution No. 1557.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1548
through
House Resolution No. 1550 - Representative Muckler
House Resolution No. 1551 - Representative Crawford
House Resolution No. 1552 - Representatives Deeken and Bruns
House Resolution No. 1553 - Representative Deeken
House Resolution No. 1554 - Representatives Wallace and Bough
House Resolution No. 1555 - Representative LeVota, et al
House Resolution No. 1556 - Representative LeVota
House Resolution No. 1558 - Representative Kratky
House Resolution No. 1559 - Representatives Meadows and Stefanick

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1721, introduced by Representative Jetton, relating to limitation on recovery of damages for motor vehicle accidents.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 36 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 57 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1719 and **HB 1720** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 710 was read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1453, relating to foster care, was taken up by Representative Hanaway.

Representative Hanaway offered **HS HCS HB 1453**.

Representative Rector offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Section 210.109, Page 50, Lines 2 through 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

“reports may be made anonymously; **except that, reports by mandatory reporters under section 210.115, including employees of the children’s division, juvenile officers, and school personnel shall not be made anonymously;**” and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rector, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 186, Section 537.046, Line 21, through Page 187, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"2. [In any civil action for recovery of damages suffered as a result of childhood sexual abuse, the time for commencement of the action shall be within five years of the date the plaintiff attains the age of eighteen or within three years of the date the plaintiff discovers or reasonably should have discovered that the injury or illness was caused by child sexual abuse, whichever later occurs.] **Any action to recover damages from injury or illness caused by childhood sexual abuse in an action brought pursuant to this section, shall be commenced within ten years of the plaintiff attaining the age of twenty-one or within three years of the date the plaintiff discovers, or reasonably should have discovered, that the injury or illness was caused by childhood sexual abuse, whichever later occurs.**".

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

Representative Kelly (36) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Section 43.503, Page 14, Line 20 of said page, by inserting immediately after said line the following:

“43.530. 1. For each request requiring the payment of a fee received by the central repository, the requesting entity shall pay a fee of not more than [five] **ten** dollars per request for criminal history record information not based on a fingerprint search and pay a fee of not more than [fourteen] **twenty** dollars per request for criminal history record information based on a fingerprint search. Each such request shall be limited to check and search on one individual. Each request shall be accompanied by a check, warrant, voucher, money order, or electronic payment payable to the state of Missouri-criminal record system or payment shall be made in a manner approved by the highway patrol. The highway

patrol may establish procedures for receiving requests for criminal history record information for classification and search for fingerprints, from courts and other entities, and for the payment of such requests. There is hereby established by the treasurer of the state of Missouri a fund to be entitled as the "Criminal Record System Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, if the moneys collected and deposited into this fund are not totally expended annually for the purposes set forth in sections 43.500 to 43.543, the unexpended moneys in such fund shall remain in the fund and the balance shall be kept in the fund to accumulate from year to year.

2. For purposes of obtaining criminal records prior to issuance of a school bus operator's permit pursuant to section 302.272, RSMo, and for determining eligibility for such permit, the applicant for such permit shall submit two sets of fingerprints to the director of revenue when applying for the permit. The fingerprints shall be collected in a manner approved by the superintendent of the highway patrol. The school bus permit applicant shall pay the appropriate fee described in this section and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for the school bus permit. Collections for records described in this subsection shall be deposited in the criminal record system fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sander assumed the Chair.

On motion of Representative Kelly (36), **House Amendment No. 3** was adopted.

Representative Johnson (90) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 20, Section 167.020, Line 25, by deleting the words "**trailer parks**,".

On motion of Representative Johnson (90), **House Amendment No. 4** was adopted.

Representative Fraser offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 53, Section 210.110, Line 6 of said page, by inserting after the word "**any**" the following:

"**licensed or accredited**"; and

Further amend said bill, Page 53, Section 210.110, Line 7 of said page, by inserting after the word "**agency**" the following:

", **where such licensing or accreditation is available**,"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fraser moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Abel	Barnitz	Bishop	Bland	Bringer
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Sager
Salva	Schoemehl	Seigfreid	Selby	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Zweifel			

NOES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Young	Madam Speaker	

PRESENT: 002

Ransdall	Shoemyer
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ABSENT WITH LEAVE: 005

Avery	Boykins	Brooks	Shoemaker	Wagner
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Representative Dixon offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Section 43.540, Page 15, Line 6, by placing brackets around the word “or” on said line and inserting immediately thereafter the word “**and**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 6** was adopted.

Representative Dougherty offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 141, Section 211.319, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

“on its own motion, may exclude, for good cause shown,”; and

Further amend said bill, Page 141, Section 211.319, Line 4, by inserting after the word **“person”** on said line the following:

“or persons”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 7** was adopted.

Representative Bishop offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Section 431.056, Page 167, Line 6 of said page, by inserting after all of said line the following:

“452.310. 1. In any proceeding commenced pursuant to this chapter, the petition, a motion to modify, a motion for a family access order and a motion for contempt shall be verified. The petition in a proceeding for dissolution of marriage shall allege that the marriage is irretrievably broken and that therefore there remains no reasonable likelihood that the marriage can be preserved. The petition in a proceeding for legal separation shall allege that the marriage is not irretrievably broken and that therefore there remains a reasonable likelihood that the marriage can be preserved.

2. The petition in a proceeding for dissolution of marriage or legal separation shall set forth:

(1) The residence of each party, including the county, and the length of residence of each party in this state and in the county of residence;

(2) The date of the marriage and the place at which it is registered;

(3) The date on which the parties separated;

(4) The name, date of birth and address of each child, and the parent with whom each child has primarily resided for the sixty days immediately preceding the filing of the petition for dissolution of marriage or legal separation;

(5) Whether the wife is pregnant;

(6) The Social Security number of the petitioner, respondent and each child;

(7) Any arrangements as to the custody and support of the children and the maintenance of each party; and

(8) The relief sought.

3. Upon the filing of the petition in a proceeding for dissolution of marriage or legal separation, each child shall immediately be subject to the jurisdiction of the court in which the proceeding is commenced, unless a proceeding involving allegations of abuse or neglect of the child is pending in juvenile court. Until permitted by order of the court, neither parent shall remove any child from the jurisdiction of the court or from any parent with whom the child has primarily resided for the sixty days immediately preceding the filing of a petition for dissolution of marriage or legal separation.

4. The mere fact that one parent has actual possession of the child at the time of filing shall not create a preference in favor of such parent in any judicial determination regarding custody of the child.

5. The respondent shall be served in the manner provided by the rules of the supreme court and applicable court rules and, to avoid an interlocutory judgment of default, shall file a verified answer within thirty days of the date of service which shall not only admit or deny the allegations of the petition, but shall also set forth:

(1) The Social Security number of the petitioner, respondent and each child;

(2) Any arrangements as to the custody and support of the child and the maintenance of each party; and

(3) The relief sought.

6. Previously existing defenses to divorce and legal separation, including but not limited to condonation, connivance, collusion, recrimination, insanity, and lapse of time, are abolished.

7. The petitioner and respondent shall submit a proposed parenting plan, either individually or jointly, within thirty days after service of process or the filing of the entry of appearance, whichever event first occurs of a motion to modify or a petition involving custody or visitation issues. The proposed parenting plan shall set forth the arrangements that the party believes to be in the best interest of the minor children and shall include but not be limited to:

(1) A specific written schedule detailing the custody, visitation and residential time for each child with each party including:

(a) Major holidays stating which holidays a party has each year;

(b) School holidays for school-age children;

(c) The child's birthday, Mother's Day and Father's Day;

(d) Weekday and weekend schedules and for school-age children how the winter, spring, summer and other vacations from school will be spent;

(e) The times and places for transfer of the child between the parties in connection with the residential schedule;

(f) A plan for sharing transportation duties associated with the residential schedule;

(g) Appropriate times for telephone access;

(h) Suggested procedures for notifying the other party when a party requests a temporary variation from the residential schedule;

(i) Any suggested restrictions or limitations on access to a party and the reasons such restrictions are requested;

(2) A specific written plan regarding legal custody which details how the decision-making rights and responsibilities will be shared between the parties including the following:

(a) Educational decisions and methods of communicating information from the school to both parties;

(b) Medical, dental and health care decisions including how health care providers will be selected and a method of communicating medical conditions of the child and how emergency care will be handled;

(c) Extracurricular activities, including a method for determining which activities the child will participate in when those activities involve time during which each party is the custodian;

(d) Child care providers, including how such providers will be selected;

(e) Communication procedures including access to telephone numbers as appropriate;

(f) A dispute resolution procedure for those matters on which the parties disagree or in interpreting the parenting plan;

(g) If a party suggests no shared decision-making, a statement of the reasons for such a request;

(3) How the expenses of the child, including child care, educational and extraordinary expenses as defined in the child support guidelines established by the supreme court, will be paid including:

(a) The suggested amount of child support to be paid by each party;

(b) The party who will maintain or provide health insurance for the child and how the medical, dental, vision, psychological and other health care expenses of the child not paid by insurance will be paid by the parties;

(c) The payment of educational expenses, if any;

(d) The payment of extraordinary expenses of the child, if any;

(e) Child care expenses, if any;

(f) Transportation expenses, if any.

8. If the proposed parenting plans of the parties differ and the parties cannot resolve the differences or if any party fails to file a proposed parenting plan, upon motion of either party and an opportunity for the parties to be heard, the court shall enter a temporary order containing a parenting plan setting forth the arrangements specified in subsection 7 of this section which will remain in effect until further order of the court. The temporary order entered by the court shall not create a preference for the court in its adjudication of final custody, child support or visitation.

9. Within one hundred twenty days after August 28, 1998, the Missouri supreme court shall have in effect guidelines for a parenting plan form which may be used by the parties pursuant to this section in any dissolution of marriage, legal separation or modification proceeding involving issues of custody and visitation relating to the child.

10. The filing of a parenting plan for any child over the age of eighteen for whom custody, visitation, or support is being established or modified by a court of competent jurisdiction is not required. Nothing in this section shall be construed as precluding the filing of a parenting plan upon agreement of the parties or if ordered to do so by the court for any child over the age of eighteen for whom custody, visitation, or support is being established or modified by a court of competent jurisdiction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bishop, **House Amendment No. 8** was adopted.

Representative Witte offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 20, Section 135.327, Line 5, by inserting after all of said line the following:

“5. The credits authorized by this section shall only apply to the adoption of children who are residents of this state or who are wards of this state at the time of adoption.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Jetton resumed the Chair.

HCS HB 1453, with House Amendment No. 9 and HS, as amended, pending, was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dorothy Rose Caisley, Lauren Nowatske, Tessa O'Neill, Maxwell Ryan Golterman, Shavon Swearengen, Naiya Smith, Carlton Poindexter and Joey LeFors.

HOUSE RESOLUTION

Representative Wright offered House Resolution No. 1564.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1560

and

House Resolution No. 1561 - Representative Hanaway

House Resolution No. 1562 - Representative Brown

House Resolution No. 1563 - Representative Hanaway

House Resolution No. 1565

through

House Resolution No. 1579 - Representative Schoemehl

House Resolution No. 1580 - Representative Mayer

House Resolution No. 1581 - Representative Bough

House Resolution No. 1582
through
House Resolution No. 1595 - Representative Portwood
House Resolution No. 1596 - Representative Moore
House Resolution No. 1597
through
House Resolution No. 1600 - Representative Lipke

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1722, introduced by Representatives Cooper (155), Davis (19), Nieves, Emery and Stevenson, relating to standard science instruction.

HB 1723, introduced by Representative Dixon, relating to school zones.

HB 1724, introduced by Representative Pratt, relating to fuel storage.

HB 1725, introduced by Representatives Harris (23), Jolly, Schoemehl, Sager and Johnson (90), relating to rights of crime victims and witnesses.

HB 1726, introduced by Representatives Jolly, Harris (23), Meiners, Schoemehl, Sager and Johnson (90), relating to prior or persistent offenders.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SCS HCS HB 1014** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Jetton resumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 883, relating to highway designation, was taken up by Representative Graham.

On motion of Representative Graham, **HCS HB 883** was adopted.

On motion of Representative Graham, **HCS HB 883** was read the third time and passed by the following vote:

AYES: 159

Abel
Bearden

Angst
Behnen

Baker
Bishop

Barnitz
Bivins

Bean
Black

Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Icet	Jackson	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Hunter

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Cunningham 86 Johnson 47

Speaker Pro Tem Jetton declared the bill passed.

HB 1029, with House Committee Amendment No. 1, relating to a memorial highway, was taken up by Representative Henke.

On motion of Representative Henke, **House Committee Amendment No. 1** was adopted.

On motion of Representative Henke, **HB 1029, as amended**, was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Johnson 47	Schlottach
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Speaker Pro Tem Jetton declared the bill passed.

HB 1114, relating to special license plates, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 1114** was read the third time and passed by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Engler	Ervin

Fares	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Young	Zweifel	Madam Speaker	

NOES: 011

Donnelly	Dusenberg	El-Amin	Emery	Fraser
Jackson	Smith 118	Vogt	Walker	Wilson 25
Yates				

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 002

Avery Johnson 47

Speaker Pro Tem Jetton declared the bill passed.

HB 1454, relating to a conveyance in Pemiscot County, was taken up by Representative Swinger.

On motion of Representative Swinger, **HB 1454** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares

Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Johnson 47	Skaggs
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Speaker Pro Tem Jetton declared the bill passed.

HB 1462, relating to a conveyance in Stoddard County, was taken up by Representative Bean.

On motion of Representative Bean, **HB 1462** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King

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Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Carnahan	Darrough	Hunter	Ruestman
Sutherland				

Speaker Pro Tem Jetton declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HB 1001, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HB 1001** was read the third time and passed by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Iceet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese

Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Darrough

Speaker Pro Tem Jetton declared the bill passed.

HS HCS HB 1002, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1002** was read the third time and passed by the following vote:

AYES: 102

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hampton	Harris 110
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	Kelly 36	King
Kingery	Lager	Lawson	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

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NOES: 059

Abel	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Graham	Green	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kratky	Kuessner
Le Vota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Ransdall	Sager	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Miller

Speaker Pro Tem Jetton declared the bill passed.

Representative Bearden requested a verification of the roll call on the motion to third read and pass **HS HCS HB 1002**.

Representative Sander resumed the Chair.

HS HCS HB 1003, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1003** was read the third time and passed by the following vote:

AYES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Townley	Viebrock
Wallace	Wasson	Whorton	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Pearce	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Threlkeld	Villa	Vogt
Wagner	Walker	Walton	Ward	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Walsh

Representative Sander declared the bill passed.

HS HCS HB 1004, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1004** was read the third time and passed by the following vote:

AYES: 099

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Boykins	Brooks
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hampton
Harris 110	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Johnson 47	Jones	Kelly 144
Kelly 36	King	Kingery	Lager	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Sander	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Walton	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Young	Madam Speaker	

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NOES: 059

Abel	Barnitz	Bishop	Bland	Bringer
Burnett	Carnahan	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Graham	Green	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lawson	LeVota
Liese	McKenna	Meadows	Meiners	Muckler
Ransdall	Roark	Sager	Salva	Schoemehl
Selby	Shoemyer	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Lembke	Munzlinger	Schaaf	Skaggs
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Representative Sander declared the bill passed.

HS HCS HB 1005, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1005** was read the third time and passed by the following vote:

AYES: 089

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brooks
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Fares	Graham
Guest	Harris 110	Harris 23	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Johnson 47
Kelly 144	Kelly 36	King	Kingery	Lager
Lembke	Luetkemeyer	Marsh	May	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Richard	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Madam Speaker	

NOES: 073

Abel	Bishop	Bland	Boykins	Bringer
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Goodman	Green
Hampton	Haywood	Henke	Hilgemann	Hoskins

Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kratky	Kuessner	Lawson	LeVota	Liese
Lipke	Lowe	Mayer	McKenna	Meadows
Meiners	Muckler	Page	Pratt	Ransdall
Roark	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Yates	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Representative Sander declared the bill passed.

HS HCS HB 1006, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1006** was read the third time and passed by the following vote:

AYES: 111

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Boykins
Brooks	Brown	Bruns	Byrd	Campbell
Cooper 120	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	George	Goodman	Graham
Guest	Hampton	Harris 110	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Kelly 144	Kelly 36	King	Kingery
Lager	Lawson	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Taylor
Threlkeld	Townley	Viebrock	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yaeger	Yates
Madam Speaker				

NOES: 049

Abel	Bishop	Bland	Bringer	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	Green	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard

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Johnson 90	Jolly	Jones	Kratky	Kuessner
LeVota	McKenna	Meadows	Meiners	Muckler
Ransdall	Sager	Salva	Schoemehl	Selby
Spreng	Swinger	Thompson	Villa	Vogt
Walker	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Cooper 155	Sutherland
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Representative Sander declared the bill passed.

Speaker Pro Tem Jetton resumed the Chair.

HS HCS HB 1007, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1007** was read the third time and passed by the following vote:

AYES: 111

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Boykins	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	Goodman
Graham	Guest	Hampton	Harris 110	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Self	Shoemaker	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Threlkeld	Townley	Viebrock
Wagner	Wallace	Walton	Wasson	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Madam Speaker				

NOES: 051

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Carnahan	Corcoran	Darrough
Daus	El-Amin	George	Green	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 90	Kratky	Kuessner	Lawson	LeVota

Liese	Lowe	McKenna	Meadows	Muckler
Ransdall	Sager	Salva	Schoemehl	Selby
Shoemyer	Spreng	Thompson	Villa	Vogt
Walker	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Witte	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Speaker Pro Tem Jetton declared the bill passed.

HS HCS HB 1008, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1008** was read the third time and passed by the following vote:

AYES: 105

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Graham	Guest	Hampton	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Jolly	Kelly 144	Kelly 36	King
Kingery	Kuessner	Lager	Lawson	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Threlkeld	Townley
Viebrock	Wagner	Wallace	Walton	Ward
Wasson	Willoughby	Wilson 119	Wilson 130	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 056

Abel	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jones	Kratky	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Spreng	Swinger
Thompson	Villa	Vogt	Walker	Walsh

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Whorton	Wildberger	Wilson 25	Wilson 42	Witte
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Taylor
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Speaker Pro Tem Jetton declared the bill passed.

HS HCS HB 1009, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1009** was read the third time and passed by the following vote:

AYES: 113

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Boykins	Brooks
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Graham
Guest	Hampton	Harris 110	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	Kelly 36	King	Kingery	Lager
Lawson	Lembke	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wilson 119	Wilson 130	Wood	Wright
Yates	Young	Madam Speaker		

NOES: 049

Abel	Barnitz	Bishop	Bland	Bringer
Burnett	Carnahan	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Green
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kratky	Kuessner	LeVota	Liese	Meadows
Meiners	Muckler	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Swinger	Thompson
Villa	Vogt	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Speaker Pro Tem Jetton declared the bill passed.

Representative Rector assumed the Chair.

HS HCS HB 1010, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1010** was read the third time and passed by the following vote:

AYES: 093

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Boykins	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 61	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Walton	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 068

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 90
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 001

Avery

Representative Rector declared the bill passed.

Speaker Pro Tem Jetton resumed the Chair.

Speaker Hanaway resumed the Chair.

HS HCS HB 1011, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1011** was read the third time and passed by the following vote:

AYES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 072

Abel	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Barnitz

Speaker Hanaway declared the bill passed.

Speaker Pro Tem Jetton resumed the Chair.

HS HCS HB 1012, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HCS HB 1012** was read the third time and passed by the following vote:

AYES: 115

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Boykins	Brown	Bruns	Byrd	Campbell
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Guest	Hampton	Harris 110
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jones	Kelly 144
Kelly 36	King	Kingery	Lager	Lembke
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Wilson 119	Wilson 130	Wilson 25	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 044

Bishop	Bland	Bringer	Brooks	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
El-Amin	Graham	Green	Harris 23	Haywood
Henke	Hoskins	Hubbard	Johnson 90	Jolly
Kratky	Kuessner	Lawson	LeVota	Liese
Meiners	Muckler	Ransdall	Sager	Salva
Schoemehl	Selby	Shoemyer	Spreng	Swinger
Thompson	Villa	Vogt	Walker	Whorton
Wildberger	Willoughby	Witte	Young	

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 003

Avery

Hilgemann

Shoemaker

Speaker Pro Tem Jetton declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1453, with House Amendment No. 9 and HS, as amended, pending, relating to foster care, was again taken up by Representative Hanaway.

House Amendment No. 9 was withdrawn.

Representative Riback Wilson (25) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Pages 30 to 43, Section 208.152, by deleting all of said section; and

Further amend said bill, Pages 43 to 45, Section 208.204, by deleting all of said section; and

Further amend said bill, Pages 187 to 192, Section 630.097, by deleting all of said section; and

Further amend said bill, Pages 192 to 195, Section 630.210, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Riback Wilson (25), **House Amendment No. 10** was adopted.

Representative Davis (122) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 26, Section 168.283, Line 3, by inserting after all of said line the following:

"7. Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.", and re-numbering subsequent subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis (122), **House Amendment No. 11** was adopted.

Representative Witte offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 183, Section 475.024, Line 5, by inserting after all of said line the following:

“487.100. In any family court case the judge or commissioner may, on the judge's or commissioner's own motion or, at the request of a party, order or recommend mediation, counseling or a home study. The costs of such mediation, counseling or home study may be assessed against any party at any time and may be taxed as court costs paid by the party against whom costs are taxed or may be paid from the family services and justice fund established pursuant to section 487.170. **The amount assessed for such mediation, counseling, or home study shall be such amount as the court determines to be reasonable under the circumstances.** The party's ability to pay shall be a consideration when such costs are assessed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 12** was adopted.

Representative Burnett offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bill No. 1453, Page 104, by deleting Lines 19 through 25 of Page 104 and Lines 1 through 3 of Page 105.

Representative Crowell assumed the Chair.

Representative Burnett moved that **House Amendment No. 13** be adopted.

Which motion was defeated.

Representative Vogt offered **House Amendment No. 14**.

Speaker Pro Tem Jetton resumed the Chair.

Representative Stevenson raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Hanaway, **HS HCS HB 1453, as amended**, was adopted.

On motion of Representative Hanaway, **HS HCS HB 1453, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SS SCS SB 1099**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tourism and Cultural Affairs, Chairman Marsh reporting:

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **SCS SB 754**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, April 8, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-seventh Day, Tuesday, April 6, 2004, Page 965, Line 17, by deleting "Section 11.230", and inserting in lieu thereof "Section 11.280".

Pages 981 and 982, roll call, by showing Representative Hanaway voting "aye" rather than "absent with leave".

AFFIDAVITS

I, State Representative Mike Daus, District 67, hereby state and affirm that my votes as recorded on Pages 955 and 956 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my vote or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Mike Daus
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my vote as recorded on Page 975 of the House Journal for Tuesday, April 6, 2004 showing that I voted no was incorrectly recorded. Pursuant to House

Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my vote as recorded on Page 977 of the House Journal for Tuesday, April 6, 2004 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my vote as recorded on Page 982 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Curt Dougherty
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

1017 *Journal of the House*

I, State Representative Allen Icet, District 84, hereby state and affirm that my vote as recorded on Page 971 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Allen Icet
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 956 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 972 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 977 of the House Journal for Tuesday, April 6, 2004 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Brian Nieves, District 98, hereby state and affirm that my vote as recorded on Page 971 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Brian Nieves
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my vote as recorded on Page 967 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Bryan Pratt
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

1019 *Journal of the House*

I, State Representative Vicki Walker, District 50, hereby state and affirm that my vote as recorded on Page 971 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Vicki Walker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dan Ward, District 107, hereby state and affirm that my vote as recorded on Page 972 of the House Journal for Tuesday, April 6, 2004 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Dan Ward
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dan Ward, District 107, hereby state and affirm that my votes as recorded on Pages 977 and 978 of the House Journal for Tuesday, April 6, 2004 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Dan Ward
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jay Wasson, District 141, hereby state and affirm that my vote as recorded on Page 971 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Whorton, District 3, hereby state and affirm that my vote as recorded on Page 967 of the House Journal for Tuesday, April 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2004.

/s/ Jim Whorton
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 13, 2004, 1:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HB 1627, HB 1632

CHILDREN AND FAMILIES

Wednesday, April 14, 2004, 8:00 a.m. Hearing Room 1.
AMENDED
Public hearings to be held on: HB 1339, HB 1263, SJR 29

HEALTH CARE POLICY

Tuesday, April 13, 2004, 2:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 1151, HB 987, HB 1318, SCR 34, SB 1083

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 8, 2004, Senate Lounge upon morning adjournment.

5 CSR 100-200.170 DESE Commission for the Deaf and Hard of hearing-Board for certification of interpreters-skill level standards. AMENDED

LOCAL GOVERNMENT

Thursday, April 8, 2004, 8:15 a.m. Hearing Room 6.

Public hearings to be held on: SCS SB 1331, SCS SB 1093, SCS SB 1106, SB 1107, SCS SB 700, SCS SB 1075, SCS SB 1212

Executive session will be held on: SCS SB 782, SCS SBs 942, 850 & 841, SB 769

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 8, 2004, 8:00 a.m. Hearing Room 7.

CANCELLED

Executive session will be held on: HB 1671, SCS SBs 1020, 889 & 869, SB 1052, SCS SB 1253

HOUSE CALENDAR

FORTY-NINTH DAY, THURSDAY, APRIL 8, 2004

HOUSE BILLS FOR SECOND READING

HB 1721 through HB 1726

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 774 - Sander (22)
- 6 HCS HB 843, 880 & 1042 - Angst (146)
- 7 HCS HB 1099 - Reinhart (34)
- 8 HB 1424 - Stefanick (93)
- 9 HB 773 - Icet (84)
- 10 HB 1302 - Lager (4)
- 11 HCS HB 1085 - Townley (112)

- 12 HCS HB 1195 - Behnen (2)
- 13 HB 1337 - Nieves (98)
- 14 HCS HB 1617 - Hanaway (87)
- 15 HB 1109 - Crawford (117)
- 16 HB 1160 - Parker (12)
- 17 HCS HB 1243, 1094 & 931 - Mayer (159)
- 18 HB 1409 - Richard (129)
- 19 HB 1664 - Hanaway (87)
- 20 HB 1665 - Hanaway (87)
- 21 HB 844 - Mayer (159)
- 22 HCS HB 1477 & 1563 - Schaaf (28)
- 23 HCS HB 1403 - Moore (20)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1511 - Byrd (94)
- 2 HS HCS HB 1207 - Icet (84)
- 3 HS HCS HB 1453, E.C. - Hanaway (87)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-01-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING

- 1 HCS SB 1080 - Wallace (143)
- 2 HCS SCS SB 754 - Luetkemeyer (115)
- 3 HCS SS SCS SB 1099 - Dempsey (18)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 CCR#2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FORTY-NINTH DAY, THURSDAY, APRIL 8, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Blessed be God, who is Creator of all and who has constant concern and love for all He has created.

Today, hundreds of veterans gather around us. We thank God who has placed in them a magnificent patriotism and a self-sacrificing commitment to the security of our nation.

We join these veterans in praying for our armed forces on active duty in the Middle East. Lord God, keep them safe in their time of self-sacrificing service to our country. Take into eternal life and happiness those who have been killed. Send neighbors to give the support, love and assistance needed by their grieving families.

Holy Lord, cause those with the power to make decisions, on all sides of the warfare in Iraq and the Middle East, to seek understanding of each other, and to seek justice and peace through negotiation.

Finally, we pray for ourselves. May we pursue our work with the concern for the well being of our State that our veterans and armed forces demonstrate for our Nation.

We pray to You who are our God for ever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ryan Conway, Caleb Eissler, Olivia Eissler, Noah Louis Copple, Derek Mikek, Will Driscoll, Keyonna Dale and Tori Tate.

The Journal of the forty-eighth day was approved as corrected by the following vote:

AYES: 154

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser

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George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Wagner	Walker	Wallace	Walton
Ward	Wasson	Whorton	Wildberger	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 006

Barnitz	Sager	Skaggs	Vogt	Walsh
Wilson 25				

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Willoughby	Wright
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SPECIAL RECOGNITION

Speaker Hanaway, joined by Representatives Jackson and Ransdall, participated in the Presentation of Flags to Missouri Veterans. The following veterans were escorted to the dais and presented a Missouri State Flag:

World War I

Rev. Fred Robb, 107 years old. United States Marine Corps. He is from Springfield, Missouri.

World War II

Corporal Marcellus Markway, 34th Infantry Division, United States Army

Captain Maurice Markway, 6th Infantry Division, United States Army

Private 1st Class Norbert Bernskoetter, 1st Cavalry Division, United States Army

Chief Machinist Levi Schepers, Stationed on the USS Memphis, United States Navy

Petty Officer 3rd Class John Brenneke, United States Navy

Tech 5 Lawrence Brenneke, Infantry Division, United States Army

Private Victor Wieberg, Infantry Division, United States Army

Korea

Corporal Clarence Brenneke
Corporal Louis Markway, Infantry Division, United States Army
Specialist 3rd Class Norval Bopp, 3rd Armor Division
Sergeant 1st Class Lawrence Barrett, United States Army (career)
Staff Sergeant Perry Coy, Recipient of 3 Purple Hearts, a Silver and a Bronze Star
Lieutenant Colonel Robert Marsh, United States Air Force (career)
Sergeant Bob Deeken, 45th Tal Recon, United States Army
Sergeant Ralph Kalberloh, held Prisoner of War in Germany during World War II

World War II, Korea and Vietnam

Sergeant 1st Class Manuel G. Ramos

Vietnam

1st Lieutenant Richard Schutt, United States Army
1st Lieutenant Don Perdue, United States Army
Corporal Joe Frank, United States Army
Corporal Joseph T. Bryan, United States Marines
Corporal Delbert Bias, United States Marines
Sergeant Walt Klein, United States Marines
Master Sergeant Perry Dale Walker, United States Air Force
1st Sergeant Robert Adams, United States Army

Kosovo Peace Keeper and returned from Operation Iraqi Freedom

Specialist David Worley

Gulf War, Desert Storm, Operation Enduring Freedom and Operation Iraqi Freedom

Tech Sergeant David Albin, 139th Air Wing, St. Joseph

Operation Iraqi Freedom

Major Blaine Meads, 139th Air Wing, St. Joseph
Tech Sergeant John Temple, Bronze Star recipient
Lieutenant Colonel Mark Corson, Bronze Star Recipient,
450th Transportation Battalion, United States Army Reserve
Captain Katherine Numerick, 450th Transportation Battalion, United States Army Reserve
Sergeant Jennifer McLaughlin
Specialist Liza Spence
Specialist Amanda Evers, 1139th Military Police Company
Lieutenant Colonel - Chaplain Keith Darlington, Whiteman Air Force Base
Major Douglas Gifford
Staff Sergeant Darrin Anderson, 205th Medical Battalion, Missouri National Guard
Master Sergeant Charles Henke, 1139th Military Police Company, Missouri National Guard
Specialist Adam Helvy, 1138th Military Police Company, Missouri National Guard

2nd Lieutenant Mike Roberts, 1140th Engineers, recently returned from Ft. Leonard Wood, Engineering School, was also recognized.

Representative Bivins assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1601 - Representative Guest
House Resolution No. 1602
and
House Resolution No. 1603 - Representative Rector
House Resolution No. 1604 - Representative Munzlinger
House Resolution No. 1605 - Representative Crawford
House Resolution No. 1606
through
House Resolution No. 1623 - Representative Viebrock
House Resolution No. 1624 - Representative Meadows
House Resolution No. 1625
through
House Resolution No. 1638 - Representative Hobbs
House Resolution No. 1639 - Representative Jetton
House Resolution No. 1640 - Representative Donnelly
House Resolution No. 1641 - Representative Jones
House Resolution No. 1642 - Representative Deeken
House Resolution No. 1643 - Representative Bringer
House Resolution No. 1644 - Representatives Pratt and Shoemyer
House Resolution No. 1645
and
House Resolution No. 1646 - Representative Fares

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 1021, introduced by Representative Bearden, to appropriate money for planning, expenses, and for capital improvements including, but not limited to, major additions and renovations, new structures, and land improvements of acquisitions and to transfer money among certain funds.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1727, introduced by Representative Harris (23), relating to the creation of a Missouri Military Family Relief Fund.

HB 1728, introduced by Representatives Donnelly, Vogt and Stevenson, relating to domestic violence.

HB 1729, introduced by Representative Shoemyer, relating to an income tax credit for property taxes paid on certain farm assets.

SECOND READING OF HOUSE BILLS

HB 1721 through **HB 1726** were read the second time.

SIGNING OF HOUSE BILL

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 1014** was delivered to the Governor by the Chief Clerk of the House.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 30 - Agriculture

HCR 33 - Judiciary

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 56 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1453 - Budget (Fiscal Note)

HB 771 - Tax Policy

HB 776 - Elections

HB 827 - Budget

HB 871 - Tax Policy

HB 1540 - Crime Prevention and Public Safety

HB 1549 - Elections

HB 1574 - Elections

HB 1577 - Judiciary

HB 1578 - Judiciary

HB 1580 - Workforce Development and Workplace Safety

HB 1587 - Communications, Energy and Technology

HB 1593 - Judiciary

HB 1598 - Job Creation and Economic Development
HB 1621 - Retirement
HB 1624 - Agriculture
HB 1629 - Education
HB 1637 - Crime Prevention and Public Safety
HB 1638 - Budget
HB 1639 - Workforce Development and Workplace Safety
HB 1640 - Workforce Development and Workplace Safety
HB 1641 - Senior Security
HB 1642 - Job Creation and Economic Development
HB 1643 - Crime Prevention and Public Safety
HB 1644 - Judiciary
HB 1654 - Financial Services
HB 1657 - Children and Families
HB 1661 - Education
HB 1662 - Workforce Development and Workplace Safety
HB 1668 - Local Government
HB 1674 - Education
HB 1677 - Children and Families
HB 1678 - Workforce Development and Workplace Safety
HB 1679 - Tourism and Cultural Affairs
HB 1681 - Judiciary
HB 1682 - Judiciary
HB 1683 - Judiciary
HB 1684 - Tax Policy
HB 1685 - Elections
HB 1686 - Job Creation and Economic Development
HB 1687 - Crime Prevention and Public Safety
HB 1688 - Transportation and Motor Vehicles
HB 1689 - Judiciary
HB 1690 - Transportation and Motor Vehicles
HB 1691 - Judiciary
HB 1694 - Crime Prevention and Public Safety
HB 1699 - Homeland Security and Veterans Affairs
HB 1702 - Tax Policy
HB 1712 - Tax Policy
HB 1713 - Tax Policy
HB 1714 - Transportation and Motor Vehicles
HB 1715 - Transportation and Motor Vehicles
HB 1717 - Tax Policy

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 710 - Transportation and Motor Vehicles
SS SS SB 718 - Small Business
SS SCS SB 960 - Tax Policy
SS SCS SB 1081 - Local Government
SCS SB 1220 - Special Committee on General Laws
SCS SB 1247 - Judiciary
SS SS SCS SB 1371 - Senior Security

COMMITTEE REPORT

Committee on Small Business, Chairman St. Onge reporting:

Madam Speaker: Your Committee on Small Business, to which was referred **HB 1286** and **HB 1175**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SS SCS HS HCS HB 1304**, entitled:

An act to repeal sections 355.176, 408.040, 508.010, 508.040, 508.070, 508.120, 510.263, 516.105, 537.067, 538.205, 538.210, 538.220, 538.225, and 538.300, RSMo, and to enact in lieu thereof sixteen new sections relating to claims for damages and payment thereof.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 7.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill 1304, Page 15, Section 538.210, Line 27, by striking the words "August 28, 2013" and inserting in lieu thereof the following: "**August 28, 2006**".

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, Page 1, In the Title, Line 6, by said title, by inserting immediately after the word "thereof" the following: ", with an emergency clause for certain sections"; and

Further amend said bill and page, Section A, Line 7 of said page, by inserting immediately after said line the following:

“135.163. 1. For all tax years beginning on or after January 1, 2005, in order to encourage the retention of physicians and other health care providers in this state, an eligible taxpayer shall be allowed a credit not to exceed fifteen thousand dollars per eligible taxpayer against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to fifteen percent of the increase in amount paid by an eligible taxpayer for medical malpractice insurance premiums in the aggregate from one policy period to the next immediate policy period. For purposes of this section, the base policy period for calculation of the credit shall be the medical malpractice insurance policy in effect on August 28, 2004.

2. The tax credit allowed by this section shall be claimed by the taxpayer at the time such taxpayer files a return. Any amount of tax credit which exceeds the tax due shall be carried over to any of the next five subsequent taxable years, but shall not be refunded and shall not be transferable.

3. The director of the department of insurance and the director of the department of revenue shall jointly administer the tax credit authorized by this section. The director of the department of insurance shall enact procedures to verify the amount of the allowable credit and shall issue a certificate to each eligible taxpayer that certifies the amount of the allowable credit. Both the director of the department of insurance and the director of the department of revenue are authorized to promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

4. The tax credits issued pursuant to this section shall not exceed a total for all tax credits issued of fifteen million dollars per fiscal year.”; and

Further amend said bill, Page 2, Section 355.176, Line 14 of said page, by inserting immediately after said line the following:

“379.316. 1. Section 379.017 and sections 379.316 to 379.361 apply to insurance companies incorporated pursuant to sections 379.035 to 379.355, section 379.080, sections 379.060 to 379.075, sections 379.085 to 379.095, sections 379.205 to 379.310, and to insurance companies of a similar type incorporated pursuant to the laws of any other state of the United States, and alien insurers licensed to do business in this state, which transact fire and allied lines, marine and inland marine insurance, to any and all combinations of the foregoing or parts thereof, and to the combination of fire insurance with other types of insurance within one policy form at a single premium, on risks or operations in this state, except:

- (1) Reinsurance, other than joint reinsurance to the extent stated in section 379.331;**
- (2) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured pursuant to marine, as distinguished from inland marine, insurance policies;**
- (3) Insurance against loss or damage to aircraft;**
- (4) All forms of motor vehicle insurance; and**
- (5) All forms of life, accident and health, [and] workers' compensation insurance, and medical malpractice liability insurance.**

2. Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the director, or as established by general custom of the business, as inland marine insurance.

3. Commercial property and commercial casualty insurance policies are subject to rate and form filing requirements as provided in section 379.321.

383.112. Any insurer or self-insured health care provider that fails to timely report claims information as required by sections 383.100 to 383.125 shall be subject to the provisions of section 374.215, RSMo.

383.150. As used in sections 383.150 to 383.195, the following terms shall mean:

(1) “Association” [means], the joint underwriting association established pursuant to the provisions of sections 383.150 to 383.195;

(2) “Competitive bidding process”, a process under which the director seeks, and insurers may submit, rates at which insurers guarantee to provide medical malpractice liability insurance to any health care provider unable to obtain such insurance in the voluntary market;

(3) “Director” [means], the director of the department of insurance;

[(3)] (4) “Health care provider” includes physicians, dentists, clinical psychologists, pharmacists, optometrists, podiatrists, registered nurses, physicians’ assistants, chiropractors, physical therapists, nurse anesthetists, anesthetists, emergency medical technicians, hospitals, nursing homes and extended care facilities; but shall not include any nursing service or nursing facility conducted by and for those who rely upon treatment by spiritual means alone in accordance with the creed or tenets of any well-recognized church or religious denomination;

[(4)] (5) “Medical malpractice insurance” [means], insurance coverage against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as a result of the negligence or malpractice in rendering professional service by any health care provider;

[(5)] (6) “Net direct premiums” [means], gross direct premiums written on casualty insurance in the state of Missouri by companies authorized to write casualty insurance under chapter 379, RSMo 1969, in the state of Missouri, less return premiums thereon and dividends paid or credited to policyholders on such direct business.

383.151. When the department determines after a public hearing that medical malpractice liability insurance is not reasonably available for health care providers in the voluntary market, the director shall establish a method for providing such insurance to such health care providers. The director may:

(1) Establish a competitive bidding process under which insurers may submit rates at which they agree to insure such health care providers; or

(2) Establish any other method reasonably designed to provide insurance to such health care providers.

383.200. 1. As used in sections 383.200 to 383.225, the following terms mean:

(1) “Director”, the same meaning as such term is defined in section 383.100;

(2) “Health care provider”, the same meaning as such term is defined in section 383.100;

(3) “Insurer”, an insurance company licensed in this state to write liability insurance, as described in section 379.010, RSMo;

(4) “Medical malpractice insurance”, the same meaning as such term is defined in section 383.200.

2. The following standards and procedures shall apply to the making and use of rates pertaining to all classes of medical malpractice insurance:

(1) Rates shall not be excessive, inadequate, or unfairly discriminatory. A rate is excessive if it is unreasonably high for the insurance provided. A rate is inadequate if it is unreasonably low for the insurance provided and continued use of it would endanger the solvency of the company. A rate is unfairly discriminatory if it does not reflect equitably differences in reasonably expected losses and expenses;

(2) (a) Every insurer that desires to increase a rate by less than fifteen percent shall file such rate, along with data supporting the rate change as prescribed by the director, no later than thirty days after such rate becomes effective. Filings under this paragraph shall not be subject to approval or disapproval by the director.

(b) Every insurer that desires to increase a rate by fifteen percent or more shall submit a complete rate application to the director. A complete rate application shall include all data supporting the proposed rate and such other information as the director may require. The applicant shall have the burden of proving that the requested rate change is justified and meets the requirements of this act.

(c) Every insurer that has filed a rate increase under paragraph (a) of this subdivision for two consecutive years and in the third year desires to file a rate increase which in the aggregate over the three-year period will equal or exceed a total rate increase of forty percent or more shall be required to submit a complete rate application under paragraph (b) of this subdivision.

(d) Every insurer that has not filed or had a rate increase approved for three consecutive years may file a rate increase in the fourth year in an amount not to exceed a twenty-five percent increase without being required to submit a complete rate application under paragraph (b) of this subdivision;

(3) The director of insurance shall promulgate rules setting forth standards that insurers shall adhere to in calculating their rates. Such rules shall:

(a) Establish a range within which an expected rate of return shall be presumed reasonable;

(b) Establish a range within which categories of expenses shall be presumed reasonable;

(c) Establish a range for the number of years of experience an insurer may consider in determining an appropriate loss development factor;

(d) Establish a range for the number of years of experience an insurer may consider in determining an appropriate trend factor;

(e) Establish a range for the number of years of experience an insurer may consider in determining an appropriate increased limits factor;

(f) Establish the proper weights to be given to different years of experience;

(g) Establish the extent to which an insurer may apply its subjective judgment in projecting past cost data into the future;

(h) Establish any other standard deemed reasonable and appropriate by the director;

(4) The director shall require an insurer to submit with any rate change application:

(a) A comparison, in a form prescribed by the director, between the insurer's initial projected incurred losses and its ultimate incurred losses for the eight most recent policy years for which such data is available;

(b) A memorandum explaining the methodology the insurer has used to reflect the total investment income it reasonably expects to earn on all its assets during the period the proposed rate is to be in effect. The director shall disapprove any rate application that does not fully reflect all such income;

(5) The director shall notify the public of any application from an insurer seeking a rate increase of fifteen percent or more, and shall hold a hearing on such application within forty-five days of such notice. The application shall be deemed approved ninety days after such notice unless it is disapproved by the director after the hearing;

(6) If after a hearing the director finds any rate of an insurer to be excessive, the director may order that the insurer discontinue the use of the rate and that the insurer refund the excessive portion of the rate to any policyholder who has paid such rate. The director shall not be required to find that a reasonable degree of competition does not exist to find a rate excessive.

3. For insurers required to file pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, if there is insufficient experience within the state of Missouri upon which a rate can be based with respect to the classification to which such rate is applicable, the director may approve a rate increase that considers experiences within any other state or states which have a similar cost of claim and frequency of claim experience as this state. If there is insufficient experience within Missouri or any other states which have similar cost of claim and frequency of claim experience as Missouri, nationwide experience may be considered. The insurer in its rate increase filing shall expressly show the rate experience it is using.

4. All information provided to the director under this section shall be available for public inspection.

5. The remedies set forth in this chapter shall be in addition to any other remedies available under statutory or common law.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

383.205. For all medical malpractice insurance policies written for insureds in the state of Missouri, the ratio between the base rate of the highest-rated specialty and the base rate of the lowest-rated specialty shall be no more than a ratio of six-to-one.

383.210. In determining the premium paid by any health care provider, a medical malpractice insurer shall apply a credit or debit based on the provider's loss experience, or shall establish an alternative method giving due consideration to the provider's loss experience. The insurer shall include a schedule of all such credits and debits, or a description of such alternative method in all filings it makes with the director of insurance. No medical malpractice insurer may use any rate or charge any premiums unless it has filed such schedule or alternative method with the director of insurance and the director has approved such schedule or alternative method. A debit shall be based only on those claims that have been paid on behalf of the provider.

383.215. On or before March first of each year, every insurer providing medical malpractice insurance to a health care provider shall file the following information with the director of insurance:

(1) Information on closed claims:

(a) The number of new claims reported during the preceding calendar year, and the total amounts of reserve for such claims and for allocated loss adjustment expenses in connection with such claims;

(b) The number of claims closed during the preceding year, and the amount paid on such claims, detailed as follows:

a. The number of claims closed each year with payment, and the amount paid on such claims and on allocated loss adjustment expenses in connection with such claims;

b. The number of claims closed each year without payment, and the amount of allocated loss adjustment expenses in connection with such claims;

(2) Information regarding judgments, payment, and severity of injury in connection with judgements:

(a) For each judgment rendered against an insurer for more than one hundred thousand:

a. The amount of the judgment and the amount actually paid to the plaintiff;

b. The category of injury suffered by the plaintiff. Injuries shall be categorized as follows:

Category 1: Temporary injury, emotional only.

Category 2: Temporary insignificant injury, including lacerations, contusions, minor scars, and rash.

Category 3: Temporary minor injury, including infections, missed fractures, and falls in hospitals.

Category 4: Temporary major injury, including burns, left surgical material, drug side effects, and temporary brain damage.

Category 5: Permanent minor injury, including loss of fingers, and loss or damage to organs.

Category 6: Permanent significant injury, including deafness, loss of limb, loss of eye, and loss of one kidney or lung.

Category 7: Permanent major injury, including paraplegia, blindness, loss of two limbs, and brain damage.

Category 8: Permanent grave injury, including quadriplegia, severe brain damage, and any injury requiring lifelong care or having a fatal prognosis.

Category 9: Death;

(3) Information on each rate change implemented during the preceding five-year period by state and medical specialty;

(4) Information on premiums and losses by medical specialty:

(a) Written premiums and paid losses for the preceding year, and earned premiums and incurred losses for the preceding year, with specifics by medical specialty;

(b) Number of providers insured in each medical specialty;

(5) Information on premiums and losses by experience of the insured:

(a) Written premiums and paid losses for the preceding year, and earned premiums and incurred losses for the preceding year, with specifics as follows:

a. As to all insureds with no incidents within the preceding five-year period;

b. As to all insureds with one incident within the preceding five-year period;

c. As to all insureds with two incidents within the preceding five-year period;

d. As to all insureds with three or more incidents within the preceding five-year period;

(b) Number of providers insured:

a. With no incidents within the preceding five-year period;

b. With one incident within the preceding five-year period;

c. With two incidents within the preceding five-year period;

d. With three or more incidents within the preceding five-year period;

(6) Information on the performance of the investments of the insurer, including the value of the investments held in the portfolio of the insurer as of December thirty-first of the preceding calendar year, and the rate of return on such investments, detailed by category of investment as follows:

(a) United States government bonds;

(b) Bonds exempt from federal taxation;

(c) Other unaffiliated bonds;

(d) Bonds of affiliates;

(e) Unaffiliated preferred stock;

(f) Preferred stock of affiliates;

(g) Unaffiliated common stock;

(h) Common stock of affiliates;

(i) Mortgage loans;

(j) Real estate; and

(k) Any additional categories of investments specified by the director of insurance.

383.220. 1. On or before July 1, 2005, and after consultation with the medical malpractice insurance industry, the director shall establish an interactive Internet site which will enable any health care provider licensed in this state to obtain a quote from each medical malpractice insurer licensed to write the type of coverage sought by the provider.

2. The Internet site shall enable health care providers to complete an online form that captures a comprehensive set of information sufficient to generate a quote for each insurer. The director shall develop

transmission software components which allow such information to be formatted for delivery to each medical malpractice insurer based on the requirements of the computer system of the insurer.

3. The director shall integrate the rating criteria of each insurer into its online form after consultation with each insurer using one of the following methods:

- (1) Developing a customized interface with the insurer's own rating engine;
- (2) Accessing a third-party rating engine of the insurer's choice;
- (3) Loading the insurer's rating information into a rating engine operated by the director;
- (4) Any other method agreed on between the director and the insurer.

4. After a health care provider completes the online form, the provider will be presented with quotes from each medical malpractice insurer licensed to write the coverage requested by the provider.

5. Quotes provided on the Internet site shall at all times be accurate. When an insurer changes its rates, such rate changes shall be implemented at the Internet site by the director, in consultation with the insurer, as soon as practicable but in no event later than ten days after such changes take effect. During any period in which an insurer has changed its rates but the director has not yet implemented such changed rates on the Internet site, quotes for that insurer shall not be obtainable at the Internet site.

6. The director shall design the Internet site to incorporate user-friendly formats and self-help guideline materials, and shall develop a user-friendly Internet user-interface.

7. The Internet site shall also provide contact information, including address and telephone number, for each medical malpractice insurer for which a provider obtains a quote at the Internet site.

8. By December 31, 2005, the director shall submit a report to the general assembly on the development, implementation, and affects of the Internet site established by this section. The report shall be based on:

(1) The director's consultation with health care providers, medical malpractice insurers, and other interested parties; and

(2) The director's analysis of other information available to the director, including a description of the director's views concerning the extent to which the information provided through the Internet site has contributed to increasing the availability of medical malpractice insurance and the effect the Internet site has had on the cost of medical malpractice insurance.

383.225. Each insurer shall file with the director of insurance new manuals of classifications, rules, underwriting rules, rates, rate plans and modifications, policy forms and other forms to which such rates are applied, that reflect the savings, if any, attributable to each provision of this act.

383.230. Insurers writing medical malpractice insurance shall provide insured health care providers with written notice of any increase in renewal premium rates at least ninety days prior to the date of the renewal. At a minimum, the notice shall be sent by first class mail at least ninety days prior to the date of renewal and shall contain the insured's name, the policy number for the coverage being renewed, the total premium amount being charged for the current policy term, and the total premium amount being charged to renew the coverage.

383.600. 1. Sections 383.600 to 383.655 shall be known as the "Missouri Physicians Mutual Insurance Company Act".

2. As used in sections 383.600 to 383.655 the following words mean:

- (1) "Administrator", the chief executive officer of the Missouri physicians mutual insurance company;
- (2) "Board", the board of directors of the Missouri physicians mutual insurance company;
- (3) "Company", the Missouri physicians mutual insurance company.

383.610. The "Missouri Physicians Mutual Insurance Company" is created as an independent public corporation for the purpose of insuring Missouri physicians and their employees and their business against liability for professional negligence and other casualty losses. The company shall be organized and operated as a domestic mutual insurance company and it shall not be a state agency. The company shall have the powers granted a general not-for-profit corporation pursuant to section 355.131, RSMo. The company shall be a member of the Missouri property and casualty guaranty association, sections 375.771 to 375.799, RSMo, and as such will be subject to assessments therefrom, and the members of such association shall bear responsibility in the event of the insolvency of the company. The company shall be established pursuant to the provisions of sections 383.600 to 383.655. The company shall use flexibility and experimentation in the development of types of policies and coverages offered to physicians and their employees, subject to the approval of the director of the department of insurance.

383.615. 1. There is hereby created a board of directors for the company. The board shall be appointed by January 1, 2005, and shall consist of nine members appointed or selected as provided in this section. The governor shall appoint the initial nine members of the board with the advice and consent of the senate. Each

director shall serve a seven-year term. Terms shall be staggered so that no more than one director's term expires each year on the first day of July. The nine directors initially appointed by the governor shall determine their initial terms by lot. At the expiration of the term of any member of the board, the company's policy holders shall elect a new director in accordance with provisions determined by the board.

2. Any person may be a director who:

- (1) Does not have any interest as a stockholder, employee, attorney, agent, broker, or contractor of an insurance entity who writes medical liability insurance, or whose affiliates write medical liability insurance;
- (2) Is of good moral character and who has never pleaded guilty to, or been found guilty of a felony;
- (3) Is not employed by or affiliated with, the state of Missouri, any hospital, health maintenance organization, or other entity providing any type of insurance in this state.

3. There shall be one member from each congressional district of the state. Further, two members shall be doctors of osteopathic medicine duly licensed to practice in the state of Missouri, three members shall be medical doctors licensed to practice in this state, one member shall be a nurse licensed to practice in this state, one member shall be an attorney licensed to practice by the Missouri supreme court, and one member shall have insurance experience.

4. The board shall annually elect a chairman and any other officers it deems necessary for the performance of its duties. Board committees and subcommittees may also be formed.

5. The company shall pay to the board members their expenses incurred in the business of the company or the board and a stipend in a sum set by the board, but not more than one thousand dollars per meeting or the board or committee or subcommittee thereof attended by the member.

383.620. 1. By January 1, 2005, the board shall hire an administrator who shall serve at the pleasure of the board and the company shall be fully prepared to be in operation by January 1, 2005, and assume its responsibilities by that date. The administrator shall receive compensation as established by the board and must have such qualifications as the board deems necessary. The administrator shall not be a physician.

2. The board is vested with full power, authority, and jurisdiction over the company. The board may perform all acts necessary or convenient in the administration of the company or in connection with the insurance business to be carried on by the company. In this regard, the board is empowered to function in all aspects as a governing body of a private insurance carrier.

383.625. 1. The administrator of the company shall act as the company's chief executive officer. The administrator shall be in charge of the day-to-day operations and management of the company.

2. Before entering the duties of office, the administrator shall give an official bond in an amount and with sureties approved by the board. The premium for the bond shall be paid by the company.

3. The administrator or the administrator's designee shall be the custodian of the moneys of the company and all premiums, deposits, or other moneys paid thereto shall be deposited with a financial institution as designated by the administrator.

4. No board member, officer, or employee of the company is liable in a private capacity for any act performed or obligation entered into when done in good faith, without intent to defraud, and in an official capacity in connection with the administration, management, or conduct of the company or affairs relating to it.

383.630. The board shall have full power and authority to establish rates to be charged by the company for insurance. The board shall contract for the services of or hire an independent actuary, a member in good standing with the American Academy of Actuaries, to develop and recommend actuarially sound rates. Rates shall be set at amounts sufficient, when invested, to carry all claims to maturity, meet the reasonable expenses of conducting the business of the company and maintain a reasonable surplus. The company shall conduct a program that shall be neither more nor less than self-supporting.

383.635. The board shall formulate and adopt an investment policy and supervise the investment activities of the company. The administrator may invest and reinvest the surplus or reserves of the company subject to the limitations imposed on domestic insurance companies by state law. The company may retain an independent investment counsel. The board shall periodically review and appraise the investment strategy being followed and the effectiveness of such services. Any investment counsel retained or hired shall periodically report to the board on investment results and related matters.

383.640. Any insurance producer licensed to sell professional negligence insurance in this state shall be authorized to sell insurance policies for the company in compliance with the bylaws adopted by the company and upon the approval of the board. The board shall establish a schedule of commissions to pay for the services of the producer.

383.645. 1. The administrator shall formulate, implement, and monitor a program to decrease medical negligence by physicians and their staff for all policyholders.

2. The company shall have representatives whose sole purpose is to develop, with policyholders and the professional organizations related to the medical field, education and training seminars and other programs that provide training to physicians and their staffs.

3. The administrator or board may refuse to insure, or may terminate the insurance of any subscriber who refuses to attend such seminars or training or refuses to require their staff to attend such seminars or training as required by the board for its policyholders. The cost of said training seminars or a part thereof may be paid by the company.

383.650. 1. The company shall not receive any state appropriations, directly or indirectly, except as provided in this section.

2. After October 1, 2004, ten million dollars of the moneys received from the master settlement agreement, as defined in section 196.1000, RSMo, shall be used to make loans for start-up funding and initial capitalization of the company. The state legislature shall place such moneys in a special fund under the supervision of the Missouri state treasurer called the "Physicians Mutual Insurance Company Loan Fund" in the appropriations for the appropriate fiscal year. The board of the company shall make application to the treasurer for the loans, stating the amount to be loaned to the company. The loans shall be for a term of ten years and, at the time the application for such loans is approved by the director, shall bear interest at the annual rate based on the rate for linked deposit loans as calculated by the state treasurer pursuant to section 30.758, RSMo.

3. In order to provide funds for the creation, continued development, and operation of the company, the board is authorized to issue revenue bonds from time to time, in a principal amount outstanding not to exceed fifty million dollars at any given time, payable solely from premiums received from insurance policies and other revenues generated by the company.

4. The board may issue bonds to refund other bonds issued pursuant to this section.

5. The bonds shall have a maturity of no more than ten years from the date of issuance. The board shall determine all other terms, covenants, and conditions of the bonds, except that no bonds may be redeemed prior to maturity unless the company has established adequate reserves for the risks it has insured.

6. The bonds shall be executed with the manual or facsimile signature of the administrator or the chairman of the board and attested by another member of the board. The bonds may bear the seal, if any, of the company.

7. The proceeds of the bonds and the earnings of those proceeds shall be used by the board for the development and operation of the Missouri Physicians Mutual Insurance Company, to pay expenses incurred in the preparation, issuance, and sale of the bonds and to pay any obligations relating to the bonds and the proceeds of the bonds under the United States Internal Revenue Code of 1986, as amended.

8. The bonds may be sold at a public sale or a private sale. If the bonds are sold at a public sale, the notice of sale and other procedures for the sale shall be determined by the administrator or the company.

9. This section is full authority for the issuance and sale of the bonds and the bonds shall not be invalid for any irregularity or defect in the proceedings for their issuance and sale and shall be incontestable in the hands of bona fide purchasers or holders of the bonds for value.

10. An amount of money from the sources specified in subsection 3 of this section sufficient to pay the principal of and any interest on the bonds as they become due each year shall be set aside and is hereby pledged for the payment of the principal and interest on the bonds.

11. The bonds shall be legal investment for any person or board charged with the investment of public funds and may be accepted as security for any deposit of public money, and the bonds and interest thereon are exempt from taxation by the state and any political subdivision or agency of the state.

12. The bonds shall be payable by the company, which shall keep a complete record relating to the payment of the bonds.

13. Not more than fifty percent of the bonds sold shall be sold to public entities.

383.655. 1. The board shall cause an annual audit of the books of accounts, funds, and securities of the company to be made by a competent and independent firm of certified public accountants, the cost of the audit to be charged against the company. A copy of the audit report shall be filed with the director of the department of insurance and the administrator. The audit shall be open to the public for inspection.

2. The board shall submit an annual independently audited report in accordance with the procedures governing annual reports adopted by the National Association of Insurance Commissioners by March first of each year and the report shall be delivered to the governor and the general assembly and shall indicate the business

done by the company during the previous year and contain a statement of the resources and liabilities of the company.

3. The administrator shall annually submit to the board for its approval an estimated budget of the entire expense of administering the company for the succeeding calendar year having due regard to the business interests and contract obligations of the company.

4. The incurred loss experience and expense of the company shall be ascertained each year to include, but not be limited to, estimates of outstanding liabilities for claims reported to the company but not yet paid and liabilities for claims arising from injuries which have occurred but have not yet been reported to the company. If there is an excess of assets over liabilities, necessary reserves and a reasonable surplus for the catastrophe hazard, then a cash dividend may be declared or a credit allowed to an insured policyholder, who has been insured with the company in accordance with criteria approved by the board, which may account for insured's record and claims history.

5. The department of insurance shall conduct an examination for the company in the manner and under the conditions provided by the statutes of the insurance code for the examination of insurance carriers. The board shall pay the cost of the examination as an expense of the company. The company is subject to all provisions of the statutes which relate to private insurance carriers and to the jurisdiction of the department of insurance in the same manner as private insurance carriers, except as provided by the director.

6. For the purpose of ascertaining such information as the administrator may require in the proper administration of the company, the records of each policyholder and insured of the company shall be always open to inspection by the administrator or the administrator's duly authorized agent or representative.

7. Every person provided insurance coverage by the company, upon complying with the underwriting standards adopted by the company, and upon completing the application form prescribed by the company, shall be furnished with a policy showing the date on which the insurance becomes effective.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, Page 23, Section 3, Line 1, by inserting at the end of the said line, the following:

“Section 4. The board shall investigate all complaints relating to the proper practice of medicine by any person holding a certificate of registration under sections two to twelve A, inclusive, or of section sixty-five so far as it relates to medicine and report the same to the proper prosecuting officers.

There shall be established within the board of registration in medicine a disciplinary unit which will be responsible for investigating complaints and prosecuting disciplinary actions against licensees, pursuant to this section. The executive director of the board shall hire such attorneys and investigators as are necessary to carry out the responsibilities of the disciplinary unit.

The board is hereby authorized and directed to develop and implement, without cost to the commonwealth, a plan for a remediation program designed to improve physicians' clinical and communication skills. The board shall promulgate rules and regulations for such remediation programs which shall include, but not be limited to, the following provisions:

(a) the board shall offer a remediation program to physicians, on a voluntary basis, as an alternative to disciplinary action in appropriate cases as determined by the board;

(b) the board shall select providers of remediation and assessment services for physicians;

(c) the board shall make referrals of physicians to remediation and assessment providers, shall have the authority to approve individual remediation programs recommended by such providers and shall monitor the progress of each physician undertaking a remediation program;

(d) the board shall have the authority to determine successful completion of physician remediation programs and may make any further orders for probationary monitoring, disciplinary proceedings or other action as it deems appropriate;

(e) the board shall negotiate with insurance carriers, hospitals, health care providers, physicians and other affected parties to establish mechanisms for the funding of the remediation programs set forth in this

paragraph; provided, however, that said board shall establish terms and conditions under which the primary financial obligation for an individual remediation program shall be borne by the affected physician.

There shall also be established within the board of registration in medicine a risk management unit. Said risk management unit shall provide technical assistance and quality assurance programs designed to reduce or stabilize the frequency, amount and costs of claims against physicians and hospitals licensed or registered in the commonwealth. The board shall promulgate regulations requiring physicians to participate in risk management programs as a condition of licensure; provided that such regulations shall provide for an exemption from such requirements for physicians who are participating in pre-existing risk management programs that have been approved by the board.

There shall be established within the board of registration in medicine a data repository which will be responsible for the compilation of all data required under sections five A to five J, inclusive, and any other law or regulation which requires that information be reported to the board.

The board shall collect the following information to create individual profiles on licensees, in a format created by the board that shall be available for dissemination to the public:

(a) a description of any criminal convictions for felonies and serious misdemeanors as determined by the board, within the most recent ten years. For the purposes of this subsection, a person shall be deemed to be convicted of a crime if he pleaded guilty or if he was found or adjudged guilty by a court of competent jurisdiction;

(b) a description of any charges to which a physician pleads nolo contendere or where sufficient facts of guilt were found and the matter was continued without a finding by a court of competent jurisdiction;

(c) a description of any final board disciplinary actions within the most recent ten years;

(d) a description of any final disciplinary actions by licensing boards in other states within the most recent ten years;

(e) a description of revocation or involuntary restriction of hospital privileges for reasons related to competence or character that have been taken by the hospital's governing body or any other official of the hospital after procedural due process has been afforded, or the resignation from or nonrenewal of medical staff membership or the restriction of privileges at a hospital taken in lieu of or in settlement of a pending disciplinary case related to competence or character in that hospital. Only cases which have occurred within the most recent ten years shall be disclosed by the board to the public;

(f) all medical malpractice court judgments and all medical malpractice arbitration awards in which a payment is awarded to a complaining party during the most recent ten years and all settlements of medical malpractice claims in which a payment is made to a complaining party within the most recent ten years. Dispositions of paid claims shall be reported in a minimum of three graduated categories indicating the level of significance of the award or settlement. Information concerning paid medical malpractice claims shall be put in context by comparing an individual licensee's medical malpractice judgment awards and settlements to the experience of other physicians within the same specialty. Information concerning all settlements shall be accompanied by the following statement: "Settlement of a claim may occur for a variety of reasons which do not necessarily reflect negatively on the professional competence or conduct of the physician. A payment in settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice has occurred." Nothing herein shall be construed to limit or prevent the board from providing further explanatory information regarding the significance of categories in which settlements are reported.

Pending malpractice claims shall not be disclosed by the board to the public. Nothing herein shall be construed to prevent the board from investigating and disciplining a licensee on the basis of medical malpractice claims that are pending.

(g) names of medical schools and dates of graduation;

(h) graduate medical education;

(i) specialty board certification;

(j) number of years in practice;

(k) names of the hospitals where the licensee has privileges;

(l) appointments to medical school faculties and indication as to whether a licensee has a responsibility for graduate medical education within the most recent ten years;

(m) information regarding publications in peer-reviewed medical literature within the most recent ten years;

(n) information regarding professional or community service activities and awards;

(o) the location of the licensee's primary practice setting;
(p) the identification of any translating services that may be available at the licensee's primary practice location;

(q) an indication of whether the licensee participates in the medicaid program.

The board shall provide individual licensees with a copy of their profiles prior to release to the public. A licensee shall be provided a reasonable time to correct factual inaccuracies that appear in such profile.

A physician may elect to have his profile omit certain information provided pursuant to clauses (l) to (n), inclusive, concerning academic appointments and teaching responsibilities, publication in peer-reviewed journals and professional and community service awards. In collecting information for such profiles and in disseminating the same, the board shall inform physicians that they may choose not to provide such information required pursuant to said clause (l) to (n), inclusive.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, Page 18, Section 538.213, Line 9, by inserting after all of said line the following:

“6. Beginning on August 28, 2006, the limitation on awards for noneconomic damages provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of insurance, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021, RSMo.”.

Senate Amendment No. 5

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, Page 21, Section 538.225, Lines 16-20, by striking all of said lines from the bill and inserting in lieu thereof the following:

“6. As used in this section, the term “legally qualified health care provider” means a health care provider licensed in this state or any other state in substantially the same profession and specialty as the defendant.”.

Senate Amendment No. 7

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, Page 2, Section 355.176, Line 14, of said page, by inserting immediately after said line the following:

“383.010. 1. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, RSMo, any three or more persons, residents of this state, being licensed under the provisions of chapter 330, 331, 332, 334, 335, 336, 338 or 339, RSMo, or under rule 8 of the supreme court of Missouri or architects licensed pursuant to chapter 327, RSMo, may, as provided in sections 383.010 to 383.040, form a business entity for the purpose of providing malpractice insurance or indemnification for such persons upon the assessment plan, and upon compliance with section 379.260, RSMo, liability and automobile insurance as defined in subdivisions (1) and (3) of section 379.230, RSMo, may be provided upon the assessment plan to those persons licensed pursuant to chapter 197, RSMo, and for whom medical malpractice insurance is provided under this section, except that automobile insurance shall be provided only for ambulances as defined in section 190.100, RSMo. Hospitals, public or private, whether incorporated or not, as defined in chapter 197, RSMo, if licensed by the state of Missouri, professional corporations formed under the provisions of chapter 356, RSMo, for the practice of law and corporations, copartnerships or associations licensed under the provisions

of chapter 339, RSMo, may also become members of any such entity. The term “persons” as used in sections 383.010 to 383.040 includes such hospitals, professional corporations and real estate business entities.

2. Anything in this section to the contrary notwithstanding, any persons duly licensed under the provisions of the laws of any other state who, if licensed under any similar provisions of the laws of this state, would be eligible to become members and insureds of an entity created under the authority of this section, may become members and insureds of such an entity, irrespective of whether such persons are residents of this state; provided, however, that any such persons must be employed by, or be a partner, shareholder or member of, a professional corporation, corporation, copartnership or association insured by or to be insured by such an entity.

3. **Except as provided in this subsection**, notwithstanding any provision of law which might be construed to the contrary, sections 379.882 and 379.888, RSMo, defining “commercial casualty insurance”, shall not include professional malpractice insurance policies issued by any insurer in this state. **Sections 379.882 to 379.888, RSMo, defining “commercial casualty insurance” shall include policies providing professional malpractice insurance or indemnification to any health care provider, as defined in section 538.205, RSMo, issued by any insurer in this state, including associations established under sections 383.010 to 383.040.**

383.035. 1. Any association licensed pursuant to the provisions of sections 383.010 to 383.040 shall be subject to the provisions of the following provisions of the revised statutes of Missouri:

(1) Sections 374.010, 374.040, 374.046, 374.110, 374.115, 374.122, 374.170, 374.210, 374.215, 374.216, 374.230, 374.240, 374.250 and 374.280, RSMo, relating to the general authority of the director of the department of insurance;

(2) Sections 375.022, 375.031, 375.033, 375.035, 375.037 and 375.039, RSMo, relating to dealings with licensed agents and brokers;

(3) Sections 375.041 and 379.105, RSMo, relating to annual statements;

(4) Section 375.163, RSMo, relating to the competence of managing officers;

(5) Section 375.246, RSMo, relating to reinsurance requirements, except that no association shall be required to maintain reinsurance, and for insurance issued to members who joined the association on or before January 1, 1993, an association shall be allowed credit, as an asset or as a deduction from liability, for reinsurance which is payable to the ceding association's insured by the assuming insurer on the basis of the liability of the ceding association under contracts reinsured without diminution because of the insolvency of the ceding association;

(6) Section 375.390, RSMo, relating to the use of funds by officers for private gain;

(7) Section 375.445, RSMo, relating to insurers operating fraudulently;

(8) Section 379.080, RSMo, relating to permissible investments, except that limitations in such section shall apply only to assets equal to such positive surplus as is actually maintained by the association;

(9) Section 379.102, RSMo, relating to the maintenance of unearned premium and loss reserves as liabilities, except that any such loss reserves may be discounted in accordance with reasonable actuarial assumptions;

(10) **Sections 379.882 to 379.893, RSMo, relating to commercial casualty insurance;**

(11) **Subsection 6 of section 379.321, RSMo, relating to commercial casualty rate filing and notice requirements; and**

(12) **Sections 374.202 to 374.207, RSMo, relating to the examination powers of the director of insurance.**

2. Any association which was licensed pursuant to the provisions of sections 383.010 to 383.040 on or before January 1, 1992, shall be allowed until December 31, 1995, to comply with the provisions of this section as they relate to investments, reserves and reinsurance.

3. Any association licensed pursuant to the provisions of sections 383.010 to 383.040 shall file with its annual statement a certification by a fellow or an associate of the Casualty Actuarial Society. Such certification shall conform to the National Association of Insurance Commissioners annual statement instructions unless otherwise provided by the director of the department of insurance.

4. The director of the department of insurance shall have authority in accordance with section 374.045, RSMo, to make all reasonable rules and regulations to accomplish the purpose of sections 383.010 to 383.040, including the extent to which insurance provided by an association may be extended to provide payment to a covered person resulting from a specific illness possessed by such covered person; except that no rule or regulation may place limitations or restrictions on the amount of premium an association may write or on the amount of insurance or limit of liability an association may provide.

5. Other than as provided in this section, no other insurance law of the state of Missouri shall apply to an association licensed pursuant to the provisions of this chapter, unless such law shall expressly state it is applicable to such associations.

6. If, after August 28, 1992, and after its second full calendar year of operation, any association licensed under the provisions of sections 383.010 to 383.040 shall file an annual statement which shows a surplus as regards policyholders of less than zero dollars, or if the director of the department of insurance has other conclusive and credible evidence more recent than the last annual statement indicating the surplus as regards policyholders of an association is less than zero dollars, the director of the department of insurance may order such association to submit, within ninety days following such order, a voluntary plan under which the association will restore its surplus as regards policyholders to at least zero dollars. The director of the department of insurance may monitor the performance of the association's plan and may order modifications thereto, including assessments or rate or premium increases, if the association fails to meet any targets proposed in such plan for three consecutive quarters.

7. If the director of the department of insurance issues an order in accordance with subsection 6 of this section, the association may, in accordance with chapter 536, RSMo, file a petition for review of such order. Any association subject to an order issued in accordance with subsection 6 of this section shall be allowed a period of three years, or such longer period as the director may allow, to accomplish its plan to restore its surplus as regards policyholders to at least zero dollars. If at the end of the authorized period of time the association has failed to restore its surplus to at least zero dollars, or if the director of the department of insurance has ordered modifications of the voluntary plan and the association's surplus has failed to increase within three consecutive quarters after such modification, the director of the department of insurance may allow an additional time for the implementation of the voluntary plan or may exercise his powers to take charge of the association as he would a mutual casualty company pursuant to sections 375.1150 to 375.1246, RSMo. Sections 375.1150 to 375.1246, RSMo, shall apply to associations licensed pursuant to sections 383.010 to 383.040 only after the conditions set forth in this section are met. When the surplus as regards policyholders of an association subject to subsection 6 of this section has been restored to at least zero dollars, the authority and jurisdiction of the director of the department of insurance under subsections 6 and 7 of this section shall terminate, but this subsection may again thereafter apply to such association if the conditions set forth in subsection 6 of this section for its application are again satisfied.

8. Any association licensed pursuant to the provisions of sections 383.010 to 383.040 shall place on file with the director of the department of insurance, except as to excess liability risks which by general custom are not written according to manual rates or rating plans, a copy of every manual of classifications, rules, underwriting rules and rates, every rating plan and every modification of the foregoing which it uses. Filing with the director of the department of insurance within ten days after such manuals, rating plans or modifications thereof are effective shall be sufficient compliance with this subsection. Any rates, rating plans, rules, classifications or systems in effect or in use by an association on August 28, 1992, may continue to be used by the association. Upon written application of a member of an association, stating his reasons therefor, filed with the association, a rate in excess of that provided by a filing otherwise applicable may be used by the association for that member.

383.400. 1. As used in sections 383.400 to 383.407, the term “insurer” or “insurers” means any insurance company, mutual insurance company, medical malpractice association, any entity created under this chapter, or other entity providing any insurance to any health care provider, as defined in section 538.205, RSMo, practicing medicine in the state of Missouri, against claims for malpractice or professional negligence.

2. Notwithstanding any other provision of law, no insurer shall, with regards to medical malpractice insurance, as defined in section 383.150:

(1) Charge an assessment or surcharge, or increase the premium charges, by more than one thousand dollars for such insurance without first providing written notice by United States mail to the insured at least sixty days prior to the effective date of such actions;

(2) Fail or refuse to renew the aforesaid insurance without first providing written notice by United States mail to the insured at least sixty days prior to the effective date of such actions, unless such failure or refusal to renew is based upon a failure to pay sums due or a termination or suspension of the health care provider's license to practice medicine in the state of Missouri; or

(3) Cease the issuance of such policies of insurance in the state of Missouri without first providing written notice by United States mail to the insured and to the Missouri department of insurance at least one hundred eighty days prior to the effective date of such actions.

383.401. The Missouri department of insurance shall, prior to May 30, 2005, establish between twelve and twenty risk-reporting categories for medical malpractice insurance premiums, as defined in section 383.150, and shall establish regulations for the reporting of all premiums charged by such categories.

383.402. All insurers shall, with regards to medical malpractice insurance as defined in section 383.150, provide to the Missouri department of insurance, beginning on June 1, 2005, and not less than annually

thereafter, an accurate report as to the actual rates charged by such company for such insurance, for each of the risk-reporting categories established in section 383.401.

383.403. Not later than December 31, 2006, and at least annually thereafter, the Missouri department of insurance shall, utilizing the information provided pursuant to section 383.402 establish and publish, a market rate reflecting the median of the actual rates charged for each of the aforesaid risk-reporting categories for the preceding year.

383.404. After January 1, 2007, insurance premium rates charged by any insurer, with regards to medical malpractice insurance as defined in section 383.150, which are no greater than twenty percent higher, or twenty percent lower than the market rate established pursuant to section 383.403, shall be presumed to be reasonable.

383.405. After January 1, 2007, insurance premium rates charged by any insurer, with regards to medical malpractice insurance as defined in section 383.150, which are greater than twenty percent higher, or twenty percent lower than the market rate established pursuant to section 383.403, shall be presumed to be unreasonable.

383.406. 1. As used in this section, "director" means the director of the department of insurance.

2. If any insurer proposes to increase or decrease the premium rates so that they are presumed to be unreasonable under section 383.405 for medical malpractice insurance as defined in section 383.150, the insurer shall notify the director in writing at least sixty days prior to the effective date of the proposed premium rate change. The notice shall include a detailed description of the proposed premium rate change, actuarial justification for the premium rate change, and such other information as the director may prescribe by rule.

3. Within ten days of receipt of the notice from the insurer, the director shall set a date for a hearing on the proposed premium rate change and shall publish notice of the hearing. The date set for the hearing shall be within thirty days after receipt of the notice from the insurer. The director shall provide a copy of any information filed by the insurer under subsection 2 of this section to any person making a written request for such information. The hearing may, at the director's discretion, be a public hearing.

4. At the hearing, the insurer may provide additional information in support of its proposed premium rate change, and any member of the public may provide information in support of or in opposition to the proposed premium rate change.

5. Within twenty days after the close of the hearing, the director shall review all of the information submitted and determine whether the proposed premium rate change is justified. No rate shall be considered justified that is excessive, inadequate, or unfairly discriminatory. If the director determines that the rate is justified, the director shall issue an order authorizing the insurer to use the premium rate as proposed. If the director determines that the rate is not justified, the director shall issue an order prohibiting the use of the premium rate as proposed. The insurer may appeal the order under chapter 536, RSMo.

383.407. 1. If the director finds that any insurer or filing organization has violated any provision of sections 383.400 to 383.406, the director may impose a penalty of not more than five hundred dollars for each violation, but if the director finds the violation to be willful, the director may impose a penalty of not more than five thousand dollars for each violation. Such penalties may be in addition to any other penalty provided by law.

2. The director may suspend the license of any rating organization or insurer that fails to comply with an order of the director relating to sections 383.400 to 383.406 within the time limited by such order, or any extension thereof which the director may grant. The director shall not suspend the license of any rating organization or insurer for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken, until the order has been affirmed. The director may determine when a suspension of license shall become effective and it shall remain in effect for a period fixed by the director, unless the director modifies or rescinds such suspension or until the order upon which such suspension is based is modified, rescinded, or reversed.

3. No penalty shall be imposed or no license shall be suspended or revoked except upon a written order of the director, stating the director's findings, made after a hearing held upon not less than ten days' written notice to such person or organization specifying the alleged violation."'; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 1233, 840 & 1043**, entitled:

An act to repeal sections 67.1800, 67.1808, 67.1818, 137.298, 301.010, 301.020, 301.025, 301.041, 301.055, 301.057, 301.058, 301.069, 301.129, 301.130, 301.132, 301.144, 301.190, 301.193, 301.217, 301.219, 301.221, 301.227, 301.280, 301.463, 301.2999, 301.3098, 302.177, 302.225, 302.272, 302.302, 302.309, 302.700, 302.725, 302.735, 302.740, 302.755, 302.756, 302.760, 304.013, 304.035, 304.155, 304.156, 304.157, 307.100, 307.366, 390.020, 390.136, 390.340, 577.054, 577.080, 622.095, 622.618, and 643.315, RSMo, and to enact in lieu thereof ninety-five new sections relating to motor vehicles, with penalty provisions and an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Tuesday, April 13, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Frank A. Barnitz, District 150, hereby state and affirm that my vote as recorded on Page 1011 of the House Journal for Wednesday, April 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of April 2004.

/s/ Frank A. Barnitz
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Russ Carnahan, District 59, hereby state and affirm that my vote as recorded on Page 1001 of the House Journal for Wednesday, April 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of April 2004.

/s/ Russ Carnahan
State Representative

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State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my votes as recorded on Pages 997 and 1001 of the House Journal for Wednesday, April 7, 2004 showing that I voted no/absent with leave, respectively were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of April 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Brian Munzlinger, District 1, hereby state and affirm that my vote as recorded on Page 1005 of the House Journal for Wednesday, April 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of April 2004.

/s/ Brian Munzlinger
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Marilyn Ruestman, District 131, hereby state and affirm that my vote as recorded on Page 1001 of the House Journal for Wednesday, April 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of April 2004.

/s/ Marilyn Ruestman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rob Schaaf, District 28, hereby state and affirm that my vote as recorded on Page 1005 of the House Journal for Wednesday, April 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of April 2004.

/s/ Rob Schaaf
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Charlie Schlottach, District 111, hereby state and affirm that my vote as recorded on Page 998 of the House Journal for Wednesday, April 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of April 2004.

/s/ Charlie Schlottach
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

[illegible]

Subscribed and sworn to before me this 8th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 13, 2004, 1:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1627, HB 1632

BUDGET

Tuesday, April 13, 2004, 2:00 p.m. Hearing Room 3.

Possible Executive session. HB 1453 fiscal review.

Public hearing to be held on: HB 1676

CHILDREN AND FAMILIES

Wednesday, April 14, 2004, 8:00 a.m. Hearing Room 1.

AMENDED

Public hearings to be held on: HB 1339, HB 1263, SJR 29

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 14, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1695

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 13, 2004, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1590, HB 1626, HB 1650, HB 1565, HB 1600,
SCS SB 788, SS SS SCS SB 715, SCS SB 1304

EDUCATION

Wednesday, April 14, 2004, House Chamber side gallery upon morning adjournment.

Executive session. If a hearing room becomes available, this notice will be amended.

ELECTIONS

Tuesday, April 13, 2004, 5:00 p.m. Hearing Room 7.

Public hearings to be held on: SCS SB 1091, SCS SB 1197

Executive session will be held on: HB 1220, HB 1265, HB 1319, HB 1539, HJR 29, HJR 46

ETHICS

Tuesday, April 13, 2004, Hearing Room 4 upon afternoon adjournment.

Executive session may follow. Missouri Cancer Caucus, FFA Caucus, House Chair Caucus.

HEALTH CARE POLICY

Tuesday, April 13, 2004, 2:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 1151, HB 987, HB 1318, SCR 34, SB 1083

HOMELAND SECURITY AND VETERANS AFFAIRS

Tuesday, April 13, 2004, Hearing Room 5 upon afternoon adjournment.

Executive session will follow.

Public hearing to be held on: SCS SB 1365

JOB CREATION AND ECONOMIC DEVELOPMENT

Tuesday, April 13, 2004, Hearing Room 1 upon evening adjournment.

Executive session may follow.

Public hearing to be held on: HB 1181

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 14, 2004, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1476, SCS SB 1155, SCS SB 1141, SB 1249, SCS SB 1269, SB 1344

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Monday, April 19, 2004, 9:30 a.m. Hearing Room 6.

Departments of Mental Health, Economic Development and Public Safety.

Discussion of letter to White House Task Force.

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 13, 2004, 3:00 p.m. Hearing Room 4.

Public hearing to be held on: SS SS SCS SB 1122

Executive session may be held on: HB 1464, SS SS SCS SB 1122

RULES

Thursday, April 15, 2004, 8:30 a.m. Hearing Room 5.

Executive session may follow. Note SB 1108 is Revision bill SRB 1108.

Public hearings to be held on: HR 1033, SB 1108, SCR 30

SENIOR SECURITY

Tuesday, April 13, 2004, Hearing Room 6 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: SB 1123, SB 1160, SB 1371

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 13, 2004, House Lounge upon evening adjournment.

Executive session will be held on: HB 1671, SCS SBs 1020, 889 & 869,
SB 1052, SCS SB 1253

TAX POLICY

Tuesday, April 13, 2004, 2:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1702, HB 1712, HB 1713, HB 1564, SB 1311, SB 1285

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 14, 2004, 12:00 p.m. Hearing Room 7.

Possible Executive session.

Public hearings to be held on: SCS SB 757, SCS SB 771, SB 772, SB 824,
SCS SB 845, SB 894, SB 899, SB 900, SCS SB 956, SCS SB 992, SB 1259, SB 870

HOUSE CALENDAR

FIFTIETH DAY, TUESDAY, APRIL 13, 2004

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1021 - Bearden (16)

HOUSE BILLS FOR SECOND READING

- 1 HB 1727 - Harris (23)
- 2 HB 1728 - Donnelly (73)
- 3 HB 1729 - Shoemyer (9)

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 774 - Sander (22)
- 6 HCS HB 843, 880 & 1042 - Angst (146)
- 7 HCS HB 1099 - Reinhart (34)
- 8 HB 1424 - Stefanick (93)
- 9 HB 773 - Icet (84)

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- 10 HB 1302 - Lager (4)
- 11 HCS HB 1085 - Townley (112)
- 12 HCS HB 1195 - Behnen (2)
- 13 HB 1337 - Nieves (98)
- 14 HCS HB 1617 - Hanaway (87)
- 15 HB 1109 - Crawford (117)
- 16 HB 1160 - Parker (12)
- 17 HCS HB 1243, 1094 & 931 - Mayer (159)
- 18 HB 1409 - Richard (129)
- 19 HB 1664 - Hanaway (87)
- 20 HB 1665 - Hanaway (87)
- 21 HB 844 - Mayer (159)
- 22 HCS HB 1477 & 1563 - Schaaf (28)
- 23 HCS HB 1403 - Moore (20)
- 24 HCS HB 1286 & 1175 - Guest (5)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1511 - Byrd (94)
- 2 HS HCS HB 1207 - Icet (84)
- 3 HS HCS HB 1453, (Budget 4-08-04), E.C. - Hanaway (87)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-01-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILL FOR SECOND READING

SS SCS SBs 1233, 840 & 1043 - Dolan (202)

SENATE BILLS FOR THIRD READING

- 1 HCS SB 1080 - Wallace (143)
- 2 HCS SCS SB 754 - Luetkemeyer (115)
- 3 HCS SS SCS SB 1099 - Dempsey (18)

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 SS SCS HS HCS HB 1304, as amended - Byrd (94)

BILLS IN CONFERENCE

1 HS HCS SS SCS SB 730, as amended - Portwood (92)

2 CCR#2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTIETH DAY, TUESDAY, APRIL 13, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Holy Lord, our God, we praise and thank You for holidays, which give us extra time with our families, time to rest, and time to think.

Lord of Spring, working in our world, You call forth new life everywhere. Every one of us saw it as we traveled here today. You lead us into harmony with nature, bringing Spring into our lives, and new life into our Spring.

We have stepped out of the Spring weather into our place of work. Lord God, keep the vitality of Spring alive in us, as we move into this season of our work. Important issues are before us; significant decisions are to be made. Give us the virtue of listening to one another, the discipline to do the homework needed, the wisdom to discern the truth, and the courage to stand always for what is right.

We pray to You, our God, for ever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Vaneta Lee, Emily Cunningham, Trisha Counce, Daniela Daniels, Larisha Jones, Kristi Buchanan and Chad Day.

The Journal of the forty-ninth day was approved as printed.

Representative Engler assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1647	-	Representative Cunningham (145)
House Resolution No. 1648	-	Representative Cooper (120)
House Resolution No. 1649	-	Representative Moore
House Resolution No. 1650	-	Representative Ervin
House Resolution No. 1651	-	Representative Dixon
House Resolution No. 1652	-	Representative Hanaway
House Resolution No. 1653	-	Representatives Crawford and Pratt

House Resolution No. 1654
through
House Resolution No. 1667 - Representative Portwood
House Resolution No. 1668 - Representative Kingery
House Resolution No. 1669
through
House Resolution No. 1672 - Representative Wood
House Resolution No. 1673
through
House Resolution No. 1676 - Representative Bough
House Resolution No. 1677 - Representative Harris (110)
House Resolution No. 1678 - Representative May
House Resolution No. 1679 - Representatives Jolly and Meiners
House Resolution No. 1680
and
House Resolution No. 1681 - Representative Jolly
House Resolution No. 1682 - Representative Sager, et al
House Resolution No. 1683
and
House Resolution No. 1684 - Representative Sager
House Resolution No. 1685 - Representative LeVota, et al
House Resolution No. 1686 - Representative Johnson (61)
House Resolution No. 1687 - Representatives Hubbard and Boykins
House Resolution No. 1688 - Representative Schlottach
House Resolution No. 1689 - Representative McKenna
House Resolution No. 1690
and
House Resolution No. 1691 - Representative Jetton
House Resolution No. 1692 - Representative Liese
House Resolution No. 1693
through
House Resolution No. 1697 - Representative Guest
House Resolution No. 1698 - Representative Smith (14)

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1730, introduced by Representative Stevenson, relating to the authority to audit.

HB 1731, introduced by Representative Muckler, relating to child support.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1021 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1727 through **HB 1729** were read the second time.

SECOND READING OF SENATE BILL

SS SCS SBs 1233, 840 & 1043 was read the second time.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1453** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 774, relating to waste tires, was taken up by Representative Sander.

Representative Sander offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 774, Section 260.279.1 (5), Page 3, Line 31, by inserting immediately after the word, “**product.**”, the following:

“For the purposes of this subsection, the landfilling of waste tires, waste tire chips, or waste tire shreds in any manner, including landfill cover, shall not permit the vendor a preference.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sander, **House Amendment No. 1** was adopted.

On motion of Representative Sander, **HCS HB 774, as amended**, was adopted.

On motion of Representative Sander, **HCS HB 774, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HS HCS HB 1207, relating to levee districts, was taken up by Representative Icet.

On motion of Representative Icet, **HS HCS HB 1207** was read the third time and passed by the following vote:

1056 *Journal of the House*

AYES: 131

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Darrough	Daus	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Green	Guest	Hampton
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jones	Kelly 144	King	Kingery
Kratky	Kuessner	Lager	Lembke	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Wagner	Wallace	Ward
Wasson	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yates	Young	Zweifel
Madam Speaker				

NOES: 029

Bringer	Brooks	Davis 122	Donnelly	Fraser
Harris 110	Harris 23	Haywood	Henke	Johnson 61
Jolly	Kelly 36	Lawson	LeVota	Liese
Meiners	Sager	Salva	Schoemehl	Seigfreid
Vogt	Walker	Walsh	Walton	Whorton
Wildberger	Wilson 25	Wilson 42	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Curls	Dougherty
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Representative Engler declared the bill passed.

HS HCS HB 1511, relating to a trust and estate administration, was taken up by Representative Byrd.

On motion of Representative Byrd, **HS HCS HB 1511** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 001

Selby

PRESENT: 002

Brooks Wilson 42

ABSENT WITH LEAVE: 003

Avery Curls Dougherty

Representative Engler declared the bill passed.

HS HCS HB 1453, relating to foster care, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HS HCS HB 1453** was read the third time and passed by the following vote:

1058 *Journal of the House*

AYES: 112

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hampton	Harris 110	Henke	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Selby
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wagner	Wallace	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 047

Abel	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Carnahan	Corcoran	Darrough
Daus	Davis 122	Donnelly	Fraser	George
Graham	Green	Harris 23	Haywood	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	LeVota	Liese	Lowe	Ransdall
Sager	Schoemehl	Seigfreid	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Walker	Walsh	Wilson 25	Wilson 42	Witte
Yaeger	Zweifel			

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 003

Avery Curls Dougherty

Representative Engler declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 117

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Boykins
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86

Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hampton	Harris 110
Henke	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
Kelly 36	King	Kingery	Kratky	Lager
Lawson	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Villa	Wagner	Wallace
Walton	Ward	Wasson	Wildberger	Willoughby
Wilson 119	Wilson 130	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 029

Abel	Bishop	Bringer	Burnett	Carnahan
Corcoran	Darrough	Daus	Donnelly	Fraser
Graham	Green	Harris 23	Haywood	Hilgemann
Jolly	Jones	LeVota	Liese	Sager
Schoemehl	Skaggs	Swinger	Vogt	Walker
Wilson 25	Witte	Yaeger	Zweifel	

PRESENT: 014

Bland	Brooks	El-Amin	George	Hoskins
Johnson 61	Johnson 90	Kuessner	Lowe	Shoemyer
Thompson	Walsh	Whorton	Wilson 42	

ABSENT WITH LEAVE: 003

Avery	Curls	Dougherty
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PERFECTION OF HOUSE BILLS

HCS HB 1617, relating to obstruction of securities investigations, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HCS HB 1617** was adopted.

On motion of Representative Hanaway, **HCS HB 1617** was ordered perfected and printed.

HB 1664, relating to business entities, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HB 1664** was ordered perfected and printed.

HB 1665, relating to securities regulation, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HB 1665** was ordered perfected and printed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 1099 - Budget (Fiscal Note)

COMMITTEE REPORTS

Committee on Conservation and Natural Resources Committee, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1433**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1285**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 1267**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

RECESS

On motion of Representative Bearden, the House stood at recess until the House Substitutes for **HCS HB 1195** and **HB 1409** were distributed.

The hour of recess having expired, the House was called to order by Speaker Hanaway.

ADJOURNMENT

On motion of Speaker Hanaway, the House adjourned until 10:00 a.m., Wednesday, April 14, 2004.

COMMITTEE MEETINGS

BUDGET

Thursday, April 15, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. Fiscal review on HCS SS SCS SB 1099.

Committee will hear other bills assigned or referred for fiscal review. AMENDED

Public hearing to be held on: HB 1118

CHILDREN AND FAMILIES

Wednesday, April 14, 2004, 8:00 a.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 1339, HB 1263, SJR 29

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 14, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1695

EDUCATION

Wednesday, April 14, 2004, House Chamber side gallery upon morning adjournment.

Executive session. If a hearing room becomes available, this notice will be amended.

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 14, 2004, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1476, SCS SB 1155,

SCS SB 1141, SB 1249, SCS SB 1269, SB 1344

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Monday, April 19, 2004, 9:30 a.m. Hearing Room 6.

Departments of Mental Health, Economic Development, and Public Safety.

Discussion of letter to White House Task Force.

JUDICIARY

Wednesday, April 14, 2004, Hearing Room 1 upon morning adjournment.

Executive session may follow on bills other than those listed.

Public hearings to be held on: SB 1243, SB 1211, SCS SB 1195, SB 1111, SB 884,

SB 883, SB 1064, SCS SB 921, SCS SB 1066, SCS SB 799, SCS SB 827, SCS SB 983

Executive session will be held on: HB 1205, HB 986, HB 1143, HB 1148, HB 1269, SB 1007

LOCAL GOVERNMENT

Thursday, April 15, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: SS SCS SB 1081, SB 1296, SB 951,

SCS SB 987, SB 1302, SB 1055

RULES

Thursday, April 15, 2004, 8:30 a.m. Hearing Room 5.

Executive session may follow. Note SB 1108 is revision bill SRB 1108.

Public hearings to be held on: HR 1033, SB 1108, SCR 30

SMALL BUSINESS

Wednesday, April 14, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: SS SS SB 718

TOURISM AND CULTURAL AFFAIRS

Wednesday, April 14, 2004, House Lounge upon morning adjournment.

Executive session. Reconsideration on HCR 15.

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 14, 2004, 12:00 p.m. Hearing Room 7.

Possible Executive session.

Public hearings to be held on: SCS SB 757, SCS SB 771, SB 772, SB 824,

SCS SB 845, SB 894, SB 899, SB 900, SCS SB 956, SCS SB 992, SB 1259, SB 870

HOUSE CALENDAR

FIFTY-FIRST DAY, WEDNESDAY, APRIL 14, 2004

HOUSE BILLS FOR SECOND READING

HB 1730 and HB 1731

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HCS HB 1099 - Reinhart (34)
- 7 HB 1424 - Stefanick (93)
- 8 HB 773 - Icet (84)
- 9 HB 1302 - Lager (4)
- 10 HCS HB 1085 - Townley (112)
- 11 HCS HB 1195 - Behnen (2)

- 12 HB 1337 - Nieves (98)
- 13 HB 1109 - Crawford (117)
- 14 HB 1160 - Parker (12)
- 15 HCS HB 1243, 1094 & 931 - Mayer (159)
- 16 HB 1409 - Dempsey (18)
- 17 HB 844 - Mayer (159)
- 18 HCS HB 1477 & 1563 - Schaaf (28)
- 19 HCS HB 1403 - Moore (20)
- 20 HCS HB 1286 & 1175 - Guest (5)
- 21 HCS HB 1267 - Cooper (120)
- 22 HCS HB 1285 - Engler (106)
- 23 HCS HB 1433 - Wood (62)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 774 - Sander (22)
- 2 HCS HB 1617 - Hanaway (87)
- 3 HB 1664 - Hanaway (87)
- 4 HB 1665 - Hanaway (87)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-01-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING

- 1 HCS SB 1080 - Wallace (143)
- 2 HCS SCS SB 754 - Luetkemeyer (115)
- 3 HCS SS SCS SB 1099, (Budget 4-13-04) - Dempsey (18)

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 SS SCS HS HCS HB 1304, as amended - Byrd (94)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 CCR#2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-FIRST DAY, WEDNESDAY, APRIL 14, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, "A nation without God's guidance is a nation without order. Happy are those who keep God's law!" Stir up, in us, confidence in Your Word that we may indeed be guided by it and dwell in peace.

Even when answers are not immediately forthcoming, we rest in the hope that today is the day of divine wisdom, understanding, and insight.

Protect us from the hypnotic hum of activities that make the eyes of our heart grow heavy and uncaring. We receive from Your abundant and unlimited resources.

And now unto You be glory both now and forever....

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Drew Vines, Josh Baehr, Drew Glick, Mitchell Brems, Tanner McKay, Jerry Hudgens, Jr., Kasey Hudgens, Chris Becherer, Caroline Marshak, Steven Krost, Charity McMurray, Allison Dyer, Cassie Van Bebber, Bryan Moon, Sierra Simmons and Taylor Simmons.

The Journal of the fiftieth day was approved as printed.

SPECIAL RECOGNITION

Ashlea Elizabeth Stieferman was introduced by Representative Moore and recognized as an Outstanding Missouri Student.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1699

through

House Resolution No. 1713 - Representative Swinger

House Resolution No. 1714

through

House Resolution No. 1722 - Representative Lager
House Resolution No. 1723 - Representatives Bearden and Schneider
House Resolution No. 1724 - Representative Pearce
House Resolution No. 1725 - Representative Carnahan
House Resolution No. 1726 - Representative Zweifel
House Resolution No. 1727 - Representative Quinn
House Resolution No. 1728 - Representative Cooper (155)

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1732, introduced by Representatives Parker, Schoemehl and Cunningham (86), relating to the school foundation formula.

HB 1733, introduced by Representatives Parker and Wilson (42), relating to concealed firearms.

HB 1734, introduced by Representatives Munzlinger, Behnen, Shoemaker, Goodman, Hobbs and Whorton, relating to the publication of public advertisements and orders of publication.

SECOND READING OF HOUSE BILLS

HB 1730 and **HB 1731** were read the second time.

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 SS SCS HS HCS HB 1304, as amended, relating to tort reform, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to adopt **SS#2 SS SCS HS HCS HB 1304, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Johnson (90) made a substitute motion that the House refuse to adopt **SS#2 SS SCS HS HCS HB 1304, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference and that the House conferees be bound to Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, Page 1, In the Title, Line 6, by said title, by inserting immediately after the word "thereof" the following:

“, with an emergency clause for certain sections”; and

Further amend said bill and page, Section A, Line 7 of said page, by inserting immediately after said line the following:

“135.163. 1. For all tax years beginning on or after January 1, 2005, in order to encourage the retention of physicians and other health care providers in this state, an eligible taxpayer shall be allowed a credit not to exceed fifteen thousand dollars per eligible taxpayer against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount equal to fifteen percent of the increase in amount paid by an eligible taxpayer for medical malpractice insurance premiums in the aggregate from one policy period to the next immediate policy period. For purposes of this section, the base policy period for calculation of the credit shall be the medical malpractice insurance policy in effect on August 28, 2004.

2. The tax credit allowed by this section shall be claimed by the taxpayer at the time such taxpayer files a return. Any amount of tax credit which exceeds the tax due shall be carried over to any of the next five subsequent taxable years, but shall not be refunded and shall not be transferable.

3. The director of the department of insurance and the director of the department of revenue shall jointly administer the tax credit authorized by this section. The director of the department of insurance shall enact procedures to verify the amount of the allowable credit and shall issue a certificate to each eligible taxpayer that certifies the amount of the allowable credit. Both the director of the department of insurance and the director of the department of revenue are authorized to promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

4. The tax credits issued pursuant to this section shall not exceed a total for all tax credits issued of fifteen million dollars per fiscal year.”; and

Further amend said bill, Page 2, Section 355.176, Line 14 of said page, by inserting immediately after said line the following:

“379.316. 1. Section 379.017 and sections 379.316 to 379.361 apply to insurance companies incorporated pursuant to sections 379.035 to 379.355, section 379.080, sections 379.060 to 379.075, sections 379.085 to 379.095, sections 379.205 to 379.310, and to insurance companies of a similar type incorporated pursuant to the laws of any other state of the United States, and alien insurers licensed to do business in this state, which transact fire and allied lines, marine and inland marine insurance, to any and all combinations of the foregoing or parts thereof, and to the combination of fire insurance with other types of insurance within one policy form at a single premium, on risks or operations in this state, except:

- (1) Reinsurance, other than joint reinsurance to the extent stated in section 379.331;**
- (2) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured pursuant to marine, as distinguished from inland marine, insurance policies;**
- (3) Insurance against loss or damage to aircraft;**
- (4) All forms of motor vehicle insurance; and**
- (5) All forms of life, accident and health, [and] workers' compensation insurance, and medical malpractice liability insurance.**

2. Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the director, or as established by general custom of the business, as inland marine insurance.

3. Commercial property and commercial casualty insurance policies are subject to rate and form filing requirements as provided in section 379.321.

383.112. Any insurer or self-insured health care provider that fails to timely report claims information as required by sections 383.100 to 383.125 shall be subject to the provisions of section 374.215, RSMo.

383.150. As used in sections 383.150 to 383.195, the following terms shall mean:

(1) “Association” [means], the joint underwriting association established pursuant to the provisions of sections 383.150 to 383.195;

(2) **“Competitive bidding process”, a process under which the director seeks, and insurers may submit, rates at which insurers guarantee to provide medical malpractice liability insurance to any health care provider unable to obtain such insurance in the voluntary market;**

(3) “Director” [means], the director of the department of insurance;

[(3)] (4) “Health care provider” includes physicians, dentists, clinical psychologists, pharmacists, optometrists, podiatrists, registered nurses, physicians' assistants, chiropractors, physical therapists, nurse anesthetists, anesthetists, emergency medical technicians, hospitals, nursing homes and extended care facilities; but shall not include any nursing service or nursing facility conducted by and for those who rely upon treatment by spiritual means alone in accordance with the creed or tenets of any well-recognized church or religious denomination;

[(4)] (5) “Medical malpractice insurance” [means], insurance coverage against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as a result of the negligence or malpractice in rendering professional service by any health care provider;

[(5)] (6) “Net direct premiums” [means], gross direct premiums written on casualty insurance in the state of Missouri by companies authorized to write casualty insurance under chapter 379, RSMo 1969, in the state of Missouri, less return premiums thereon and dividends paid or credited to policyholders on such direct business.

383.151. When the department determines after a public hearing that medical malpractice liability insurance is not reasonably available for health care providers in the voluntary market, the director shall establish a method for providing such insurance to such health care providers. The director may:

(1) Establish a competitive bidding process under which insurers may submit rates at which they agree to insure such health care providers; or

(2) Establish any other method reasonably designed to provide insurance to such health care providers.

383.200. 1. As used in sections 383.200 to 383.225, the following terms mean:

(1) “Director”, the same meaning as such term is defined in section 383.100;

(2) “Health care provider”, the same meaning as such term is defined in section 383.100;

(3) “Insurer”, an insurance company licensed in this state to write liability insurance, as described in section 379.010, RSMo;

(4) “Medical malpractice insurance”, the same meaning as such term is defined in section 383.200.

2. The following standards and procedures shall apply to the making and use of rates pertaining to all classes of medical malpractice insurance:

(1) Rates shall not be excessive, inadequate, or unfairly discriminatory. A rate is excessive if it is unreasonably high for the insurance provided. A rate is inadequate if it is unreasonably low for the insurance provided and continued use of it would endanger the solvency of the company. A rate is unfairly discriminatory if it does not reflect equitably differences in reasonably expected losses and expenses;

(2) (a) Every insurer that desires to increase a rate by less than fifteen percent shall file such rate, along with data supporting the rate change as prescribed by the director, no later than thirty days after such rate becomes effective. Filings under this paragraph shall not be subject to approval or disapproval by the director.

(b) Every insurer that desires to increase a rate by fifteen percent or more shall submit a complete rate application to the director. A complete rate application shall include all data supporting the proposed rate and such other information as the director may require. The applicant shall have the burden of proving that the requested rate change is justified and meets the requirements of this act.

(c) Every insurer that has filed a rate increase under paragraph (a) of this subdivision for two consecutive years and in the third year desires to file a rate increase which in the aggregate over the three-year period will equal or exceed a total rate increase of forty percent or more shall be required to submit a complete rate application under paragraph (b) of this subdivision.

(d) Every insurer that has not filed or had a rate increase approved for three consecutive years may file a rate increase in the fourth year in an amount not to exceed a twenty-five percent increase without being required to submit a complete rate application under paragraph (b) of this subdivision;

(3) The director of insurance shall promulgate rules setting forth standards that insurers shall adhere to in calculating their rates. Such rules shall:

(a) Establish a range within which an expected rate of return shall be presumed reasonable;

(b) Establish a range within which categories of expenses shall be presumed reasonable;

(c) Establish a range for the number of years of experience an insurer may consider in determining an appropriate loss development factor;

(d) Establish a range for the number of years of experience an insurer may consider in determining an appropriate trend factor;

(e) Establish a range for the number of years of experience an insurer may consider in determining an appropriate increased limits factor;

(f) Establish the proper weights to be given to different years of experience;

(g) Establish the extent to which an insurer may apply its subjective judgment in projecting past cost data into the future;

(h) Establish any other standard deemed reasonable and appropriate by the director;

(4) The director shall require an insurer to submit with any rate change application:

(a) A comparison, in a form prescribed by the director, between the insurer's initial projected incurred losses and its ultimate incurred losses for the eight most recent policy years for which such data is available;

(b) A memorandum explaining the methodology the insurer has used to reflect the total investment income it reasonably expects to earn on all its assets during the period the proposed rate is to be in effect. The director shall disapprove any rate application that does not fully reflect all such income;

(5) The director shall notify the public of any application from an insurer seeking a rate increase of fifteen percent or more, and shall hold a hearing on such application within forty-five days of such notice. The application shall be deemed approved ninety days after such notice unless it is disapproved by the director after the hearing;

(6) If after a hearing the director finds any rate of an insurer to be excessive, the director may order that the insurer discontinue the use of the rate and that the insurer refund the excessive portion of the rate to any policyholder who has paid such rate. The director shall not be required to find that a reasonable degree of competition does not exist to find a rate excessive.

3. For insurers required to file pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, if there is insufficient experience within the state of Missouri upon which a rate can be based with respect to the classification to which such rate is applicable, the director may approve a rate increase that considers experiences within any other state or states which have a similar cost of claim and frequency of claim experience as this state. If there is insufficient experience within Missouri or any other states which have similar cost of claim and frequency of claim experience as Missouri, nationwide experience may be considered. The insurer in its rate increase filing shall expressly show the rate experience it is using.

4. All information provided to the director under this section shall be available for public inspection.

5. The remedies set forth in this chapter shall be in addition to any other remedies available under statutory or common law.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

383.205. For all medical malpractice insurance policies written for insureds in the state of Missouri, the ratio between the base rate of the highest-rated specialty and the base rate of the lowest-rated specialty shall be no more than a ratio of six-to-one.

383.210. In determining the premium paid by any health care provider, a medical malpractice insurer shall apply a credit or debit based on the provider's loss experience, or shall establish an alternative method giving due consideration to the provider's loss experience. The insurer shall include a schedule of all such credits and debits, or a description of such alternative method in all filings it makes with the director of insurance. No medical malpractice insurer may use any rate or charge any premiums unless it has filed such schedule or alternative method with the director of insurance and the director has approved such schedule or alternative method. A debit shall be based only on those claims that have been paid on behalf of the provider.

383.215. On or before March first of each year, every insurer providing medical malpractice insurance to a health care provider shall file the following information with the director of insurance:

(1) Information on closed claims:

(a) The number of new claims reported during the preceding calendar year, and the total amounts of reserve for such claims and for allocated loss adjustment expenses in connection with such claims;

(b) The number of claims closed during the preceding year, and the amount paid on such claims, detailed as follows:

a. The number of claims closed each year with payment, and the amount paid on such claims and on allocated loss adjustment expenses in connection with such claims;

b. The number of claims closed each year without payment, and the amount of allocated loss adjustment expenses in connection with such claims;

(2) Information regarding judgments, payment, and severity of injury in connection with judgements:

(a) For each judgment rendered against an insurer for more than one hundred thousand:

a. The amount of the judgment and the amount actually paid to the plaintiff;

b. The category of injury suffered by the plaintiff. Injuries shall be categorized as follows:

Category 1: Temporary injury, emotional only.

Category 2: Temporary insignificant injury, including lacerations, contusions, minor scars, and rash.

Category 3: Temporary minor injury, including infections, missed fractures, and falls in hospitals.

Category 4: Temporary major injury, including burns, left surgical material, drug side effects, and temporary brain damage.

Category 5: Permanent minor injury, including loss of fingers, and loss or damage to organs.

Category 6: Permanent significant injury, including deafness, loss of limb, loss of eye, and loss of one kidney or lung.

Category 7: Permanent major injury, including paraplegia, blindness, loss of two limbs, and brain damage.

Category 8: Permanent grave injury, including quadriplegia, severe brain damage, and any injury requiring lifelong care or having a fatal prognosis.

Category 9: Death;

(3) Information on each rate change implemented during the preceding five-year period by state and medical specialty;

(4) Information on premiums and losses by medical specialty:

(a) Written premiums and paid losses for the preceding year, and earned premiums and incurred losses for the preceding year, with specifics by medical specialty;

(b) Number of providers insured in each medical specialty;

(5) Information on premiums and losses by experience of the insured:

(a) Written premiums and paid losses for the preceding year, and earned premiums and incurred losses for the preceding year, with specifics as follows:

a. As to all insureds with no incidents within the preceding five-year period;

b. As to all insureds with one incident within the preceding five-year period;

c. As to all insureds with two incidents within the preceding five-year period;

d. As to all insureds with three or more incidents within the preceding five-year period;

(b) Number of providers insured:

a. With no incidents within the preceding five-year period;

b. With one incident within the preceding five-year period;

c. With two incidents within the preceding five-year period;

d. With three or more incidents within the preceding five-year period;

(6) Information on the performance of the investments of the insurer, including the value of the investments held in the portfolio of the insurer as of December thirty-first of the preceding calendar year, and the rate of return on such investments, detailed by category of investment as follows:

(a) United States government bonds;

(b) Bonds exempt from federal taxation;

(c) Other unaffiliated bonds;

(d) Bonds of affiliates;

(e) Unaffiliated preferred stock;

(f) Preferred stock of affiliates;

(g) Unaffiliated common stock;

(h) Common stock of affiliates;

(i) Mortgage loans;

(j) Real estate; and

(k) Any additional categories of investments specified by the director of insurance.

383.220. 1. On or before July 1, 2005, and after consultation with the medical malpractice insurance industry, the director shall establish an interactive Internet site which will enable any health care provider

licensed in this state to obtain a quote from each medical malpractice insurer licensed to write the type of coverage sought by the provider.

2. The Internet site shall enable health care providers to complete an online form that captures a comprehensive set of information sufficient to generate a quote for each insurer. The director shall develop transmission software components which allow such information to be formatted for delivery to each medical malpractice insurer based on the requirements of the computer system of the insurer.

3. The director shall integrate the rating criteria of each insurer into its online form after consultation with each insurer using one of the following methods:

- (1) Developing a customized interface with the insurer's own rating engine;
- (2) Accessing a third-party rating engine of the insurer's choice;
- (3) Loading the insurer's rating information into a rating engine operated by the director;
- (4) Any other method agreed on between the director and the insurer.

4. After a health care provider completes the online form, the provider will be presented with quotes from each medical malpractice insurer licensed to write the coverage requested by the provider.

5. Quotes provided on the Internet site shall at all times be accurate. When an insurer changes its rates, such rate changes shall be implemented at the Internet site by the director, in consultation with the insurer, as soon as practicable but in no event later than ten days after such changes take effect. During any period in which an insurer has changed its rates but the director has not yet implemented such changed rates on the Internet site, quotes for that insurer shall not be obtainable at the Internet site.

6. The director shall design the Internet site to incorporate user-friendly formats and self-help guideline materials, and shall develop a user-friendly Internet user-interface.

7. The Internet site shall also provide contact information, including address and telephone number, for each medical malpractice insurer for which a provider obtains a quote at the Internet site.

8. By December 31, 2005, the director shall submit a report to the general assembly on the development, implementation, and affects of the Internet site established by this section. The report shall be based on:

(1) The director's consultation with health care providers, medical malpractice insurers, and other interested parties; and

(2) The director's analysis of other information available to the director, including a description of the director's views concerning the extent to which the information provided through the Internet site has contributed to increasing the availability of medical malpractice insurance and the effect the Internet site has had on the cost of medical malpractice insurance.

383.225. Each insurer shall file with the director of insurance new manuals of classifications, rules, underwriting rules, rates, rate plans and modifications, policy forms and other forms to which such rates are applied, that reflect the savings, if any, attributable to each provision of this act.

383.230. Insurers writing medical malpractice insurance shall provide insured health care providers with written notice of any increase in renewal premium rates at least ninety days prior to the date of the renewal. At a minimum, the notice shall be sent by first class mail at least ninety days prior to the date of renewal and shall contain the insured's name, the policy number for the coverage being renewed, the total premium amount being charged for the current policy term, and the total premium amount being charged to renew the coverage.

383.600. 1. Sections 383.600 to 383.655 shall be known as the "Missouri Physicians Mutual Insurance Company Act".

2. As used in sections 383.600 to 383.655 the following words mean:

- (1) "Administrator", the chief executive officer of the Missouri physicians mutual insurance company;
- (2) "Board", the board of directors of the Missouri physicians mutual insurance company;
- (3) "Company", the Missouri physicians mutual insurance company.

383.610. The "Missouri Physicians Mutual Insurance Company" is created as an independent public corporation for the purpose of insuring Missouri physicians and their employees and their business against liability for professional negligence and other casualty losses. The company shall be organized and operated as a domestic mutual insurance company and it shall not be a state agency. The company shall have the powers granted a general not-for-profit corporation pursuant to section 355.131, RSMo. The company shall be a member of the Missouri property and casualty guaranty association, sections 375.771 to 375.799, RSMo, and as such will be subject to assessments therefrom, and the members of such association shall bear responsibility in the event of the insolvency of the company. The company shall be established pursuant to the provisions of sections 383.600 to 383.655. The company shall use flexibility and experimentation in the development of types of policies and coverages offered to physicians and their employees, subject to the approval of the director of the department of insurance.

383.615. 1. There is hereby created a board of directors for the company. The board shall be appointed by January 1, 2005, and shall consist of nine members appointed or selected as provided in this section. The governor shall appoint the initial nine members of the board with the advice and consent of the senate. Each director shall serve a seven-year term. Terms shall be staggered so that no more than one director's term expires each year on the first day of July. The nine directors initially appointed by the governor shall determine their initial terms by lot. At the expiration of the term of any member of the board, the company's policy holders shall elect a new director in accordance with provisions determined by the board.

2. Any person may be a director who:

(1) Does not have any interest as a stockholder, employee, attorney, agent, broker, or contractor of an insurance entity who writes medical liability insurance, or whose affiliates write medical liability insurance;

(2) Is of good moral character and who has never pleaded guilty to, or been found guilty of a felony;

(3) Is not employed by or affiliated with, the state of Missouri, any hospital, health maintenance organization, or other entity providing any type of insurance in this state.

3. There shall be one member from each congressional district of the state. Further, two members shall be doctors of osteopathic medicine duly licensed to practice in the state of Missouri, three members shall be medical doctors licensed to practice in this state, one member shall be a nurse licensed to practice in this state, one member shall be an attorney licensed to practice by the Missouri supreme court, and one member shall have insurance experience.

4. The board shall annually elect a chairman and any other officers it deems necessary for the performance of its duties. Board committees and subcommittees may also be formed.

5. The company shall pay to the board members their expenses incurred in the business of the company or the board and a stipend in a sum set by the board, but not more than one thousand dollars per meeting or the board or committee or subcommittee thereof attended by the member.

383.620. 1. By January 1, 2005, the board shall hire an administrator who shall serve at the pleasure of the board and the company shall be fully prepared to be in operation by January 1, 2005, and assume its responsibilities by that date. The administrator shall receive compensation as established by the board and must have such qualifications as the board deems necessary. The administrator shall not be a physician.

2. The board is vested with full power, authority, and jurisdiction over the company. The board may perform all acts necessary or convenient in the administration of the company or in connection with the insurance business to be carried on by the company. In this regard, the board is empowered to function in all aspects as a governing body of a private insurance carrier.

383.625. 1. The administrator of the company shall act as the company's chief executive officer. The administrator shall be in charge of the day-to-day operations and management of the company.

2. Before entering the duties of office, the administrator shall give an official bond in an amount and with sureties approved by the board. The premium for the bond shall be paid by the company.

3. The administrator or the administrator's designee shall be the custodian of the moneys of the company and all premiums, deposits, or other moneys paid thereto shall be deposited with a financial institution as designated by the administrator.

4. No board member, officer, or employee of the company is liable in a private capacity for any act performed or obligation entered into when done in good faith, without intent to defraud, and in an official capacity in connection with the administration, management, or conduct of the company or affairs relating to it.

383.630. The board shall have full power and authority to establish rates to be charged by the company for insurance. The board shall contract for the services of or hire an independent actuary, a member in good standing with the American Academy of Actuaries, to develop and recommend actuarially sound rates. Rates shall be set at amounts sufficient, when invested, to carry all claims to maturity, meet the reasonable expenses of conducting the business of the company and maintain a reasonable surplus. The company shall conduct a program that shall be neither more nor less than self-supporting.

383.635. The board shall formulate and adopt an investment policy and supervise the investment activities of the company. The administrator may invest and reinvest the surplus or reserves of the company subject to the limitations imposed on domestic insurance companies by state law. The company may retain an independent investment counsel. The board shall periodically review and appraise the investment strategy being followed and the effectiveness of such services. Any investment counsel retained or hired shall periodically report to the board on investment results and related matters.

383.640. Any insurance producer licensed to sell professional negligence insurance in this state shall be authorized to sell insurance policies for the company in compliance with the bylaws adopted by the company and

upon the approval of the board. The board shall establish a schedule of commissions to pay for the services of the producer.

383.645. 1. The administrator shall formulate, implement, and monitor a program to decrease medical negligence by physicians and their staff for all policyholders.

2. The company shall have representatives whose sole purpose is to develop, with policyholders and the professional organizations related to the medical field, education and training seminars and other programs that provide training to physicians and their staffs.

3. The administrator or board may refuse to insure, or may terminate the insurance of any subscriber who refuses to attend such seminars or training or refuses to require their staff to attend such seminars or training as required by the board for its policyholders. The cost of said training seminars or a part thereof may be paid by the company.

383.650. 1. The company shall not receive any state appropriations, directly or indirectly, except as provided in this section.

2. After October 1, 2004, ten million dollars of the moneys received from the master settlement agreement, as defined in section 196.1000, RSMo, shall be used to make loans for start-up funding and initial capitalization of the company. The state legislature shall place such moneys in a special fund under the supervision of the Missouri state treasurer called the "Physicians Mutual Insurance Company Loan Fund" in the appropriations for the appropriate fiscal year. The board of the company shall make application to the treasurer for the loans, stating the amount to be loaned to the company. The loans shall be for a term of ten years and, at the time the application for such loans is approved by the director, shall bear interest at the annual rate based on the rate for linked deposit loans as calculated by the state treasurer pursuant to section 30.758, RSMo.

3. In order to provide funds for the creation, continued development, and operation of the company, the board is authorized to issue revenue bonds from time to time, in a principal amount outstanding not to exceed fifty million dollars at any given time, payable solely from premiums received from insurance policies and other revenues generated by the company.

4. The board may issue bonds to refund other bonds issued pursuant to this section.

5. The bonds shall have a maturity of no more than ten years from the date of issuance. The board shall determine all other terms, covenants, and conditions of the bonds, except that no bonds may be redeemed prior to maturity unless the company has established adequate reserves for the risks it has insured.

6. The bonds shall be executed with the manual or facsimile signature of the administrator or the chairman of the board and attested by another member of the board. The bonds may bear the seal, if any, of the company.

7. The proceeds of the bonds and the earnings of those proceeds shall be used by the board for the development and operation of the Missouri Physicians Mutual Insurance Company, to pay expenses incurred in the preparation, issuance, and sale of the bonds and to pay any obligations relating to the bonds and the proceeds of the bonds under the United States Internal Revenue Code of 1986, as amended.

8. The bonds may be sold at a public sale or a private sale. If the bonds are sold at a public sale, the notice of sale and other procedures for the sale shall be determined by the administrator or the company.

9. This section is full authority for the issuance and sale of the bonds and the bonds shall not be invalid for any irregularity or defect in the proceedings for their issuance and sale and shall be incontestable in the hands of bona fide purchasers or holders of the bonds for value.

10. An amount of money from the sources specified in subsection 3 of this section sufficient to pay the principal of and any interest on the bonds as they become due each year shall be set aside and is hereby pledged for the payment of the principal and interest on the bonds.

11. The bonds shall be legal investment for any person or board charged with the investment of public funds and may be accepted as security for any deposit of public money, and the bonds and interest thereon are exempt from taxation by the state and any political subdivision or agency of the state.

12. The bonds shall be payable by the company, which shall keep a complete record relating to the payment of the bonds.

13. Not more than fifty percent of the bonds sold shall be sold to public entities.

383.655. 1. The board shall cause an annual audit of the books of accounts, funds, and securities of the company to be made by a competent and independent firm of certified public accountants, the cost of the audit to be charged against the company. A copy of the audit report shall be filed with the director of the department of insurance and the administrator. The audit shall be open to the public for inspection.

2. The board shall submit an annual independently audited report in accordance with the procedures governing annual reports adopted by the National Association of Insurance Commissioners by March first of each

year and the report shall be delivered to the governor and the general assembly and shall indicate the business done by the company during the previous year and contain a statement of the resources and liabilities of the company.

3. The administrator shall annually submit to the board for its approval an estimated budget of the entire expense of administering the company for the succeeding calendar year having due regard to the business interests and contract obligations of the company.

4. The incurred loss experience and expense of the company shall be ascertained each year to include, but not be limited to, estimates of outstanding liabilities for claims reported to the company but not yet paid and liabilities for claims arising from injuries which have occurred but have not yet been reported to the company. If there is an excess of assets over liabilities, necessary reserves and a reasonable surplus for the catastrophe hazard, then a cash dividend may be declared or a credit allowed to an insured policyholder, who has been insured with the company in accordance with criteria approved by the board, which may account for insured's record and claims history.

5. The department of insurance shall conduct an examination for the company in the manner and under the conditions provided by the statutes of the insurance code for the examination of insurance carriers. The board shall pay the cost of the examination as an expense of the company. The company is subject to all provisions of the statutes which relate to private insurance carriers and to the jurisdiction of the department of insurance in the same manner as private insurance carriers, except as provided by the director.

6. For the purpose of ascertaining such information as the administrator may require in the proper administration of the company, the records of each policyholder and insured of the company shall be always open to inspection by the administrator or the administrator's duly authorized agent or representative.

7. Every person provided insurance coverage by the company, upon complying with the underwriting standards adopted by the company, and upon completing the application form prescribed by the company, shall be furnished with a policy showing the date on which the insurance becomes effective.”; and

Further amend the title and enacting clause accordingly.

Representative Johnson (90) again moved that House refuse to adopt **SS#2 SS SCS HS HCS HB 1304, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference and that the House conferees be bound to Senate Amendment No. 2.

Which motion was defeated by the following vote:

AYES: 066

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	Graham	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	LeVota
Liese	Lowe	McKenna	Meadows	Muckler
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

NOES: 091

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns

Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Green	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lawson	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

PRESENT: 002

Meiners Skaggs

ABSENT WITH LEAVE: 004

Avery Brooks George Portwood

Representative Pratt assumed the Chair.

Representative Byrd again moved that the House refuse to adopt **SS#2 SS SCS HS HCS HB 1304, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1195, relating to professional registration, was taken up by Representative Behnen.

Representative Behnen offered **HS HCS HB 1195**.

Representative Behnen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1195, Pages 29 and 30, Section 332.032, by deleting all of said section and inserting in lieu thereof the following:

"332.086. 1. There is hereby established a five-member "Advisory Commission for Dental Hygienists", composed of dental hygienists appointed by the governor as provided in subsection 2 of this section and the dental hygienist member of the Missouri dental board, which shall guide, advise and make recommendations to the Missouri dental board. The commission shall:

- (1) Recommend the educational requirements to be registered as a dental hygienist;
- (2) Annually review the practice act of dental hygiene;

(3) Make recommendations to the Missouri dental board regarding the practice, licensure, examination and discipline of dental hygienists; and

(4) Assist the board in any other way necessary to carry out the provisions of this chapter as they relate to dental hygienists.

2. The members of the commission shall be appointed by the governor with the advice and consent of the senate. Each member of the commission shall be a citizen of the United States and a resident of Missouri for one year and shall be a dental hygienist registered and currently licensed pursuant to this chapter. Members of the commission who are not also members of the Missouri dental board shall be appointed for terms of five years, except for the members first appointed, one of which shall be appointed for a term of two years, one shall be appointed for a term of three years, one shall be appointed for a term of four years and one shall be appointed for a term of five years. The dental hygienist member of the Missouri dental board shall become a member of the commission and shall serve a term concurrent with the member's term on the dental board. All members of the initial commission shall be appointed by April 1, 2002. Members shall be chosen from lists submitted by the director of the division of professional registration. Lists of dental hygienists submitted to the governor may include names submitted to the director of the division of professional registration by the president of the Missouri Dental Hygienists Association.

3. The commission shall hold an annual meeting at which it shall elect from its membership a chairperson and a secretary. The commission shall meet in conjunction with the dental board meetings or no more than fourteen days prior to regularly scheduled dental board meetings. Additional meetings shall require a majority vote of the commission. A quorum of the commission shall consist of a majority of its members.

4. Members of the commission shall [serve without] **receive as** compensation [but] **an amount set by the Missouri dental board not to exceed fifty dollars for each day devoted to the duties of the commission** and shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties on the commission and in attending meetings of the Missouri dental board. The Missouri dental board shall provide all necessary staff and support services as required by the commission to hold commission meetings, to maintain records of official acts, and to conduct all other business of the commission."; and

Further amend said bill, Page 98, Section 374.695, Lines 1 to 3 of said page, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Behnen, **House Amendment No. 1** was adopted.

Representative Walker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1195, Pages 2 to 4, Section 209.309, by deleting all of said section; and

Further amend said bill, Page 6, Section 209.321, Lines 2 to 5, by deleting all of said lines; and

Further amend said bill, Page 6, Section 209.322, Lines 11 to 14, by deleting all of said lines and inserting in lieu thereof the following:

"(CI/CT) and Certified Deaf Interpreter (CDI); and

(2) National Association of the Deaf (NAD) certificate levels 3, 4 and 5."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Walker moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Barnitz	Bishop	Bland	Bringer	Brooks
Burnett	Campbell	Carnahan	Corcoran	Crawford
Curls	Darrough	Daus	Davis 122	Dixon
Donnelly	Dougherty	El-Amin	Fares	George
Goodman	Graham	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 90	Jolly	Kelly 36	Kratky	Kuessner
Lawson	Liese	Lowe	Meadows	Meiners
Moore	Muckler	Page	Sager	Schoemehl
Seigfreid	Shoemyer	Skaggs	Spreng	Swinger
Villa	Vogt	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

NOES: 080

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Boykins	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dusenberg	Emery	Engler	Ervin
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Miller	Morris	Munzlinger
Myers	Nieves	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Taylor
Threlkeld	Townley	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

PRESENT: 003

Fraser	Sutherland	Viebrock
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ABSENT WITH LEAVE: 016

Abel	Avery	Hampton	Johnson 61	Jones
LeVota	Mayer	McKenna	Parker	Ransdall
Salva	Selby	Shoemaker	Thompson	Wagner
Willoughby				

HCS HB 1195, with HS, as amended, pending, was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1729 - Representative Cunningham (145)
House Resolution No. 1730 - Representatives Phillips and Brown
House Resolution No. 1731 - Representative Viebrock
House Resolution No. 1732 - Representatives Darrough and Walton
House Resolution No. 1733 - Representative Kelly (36)
House Resolution No. 1734
and
House Resolution No. 1735 - Representative Jackson
House Resolution No. 1736 - Representative Moore
House Resolution No. 1737 - Representative Bland
House Resolution No. 1738 - Representatives Pratt and Rupp
House Resolution No. 1739 - Representative Bruns
House Resolution No. 1740
through
House Resolution No. 1750 - Representative Lipke
House Resolution No. 1751
and
House Resolution No. 1752 - Representative Jetton

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 37, introduced by Representative Townley, to authorize the University of Missouri to enter into a long-term lease for certain property.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1735, introduced by Representative Morris, relating to deferral of property tax owned by senior citizens.

HB 1736, introduced by Representative Cunningham (86), relating to the sale of methamphetamine precursor drugs.

HB 1737, introduced by Representatives Cunningham (86), Icet, Stefanick, St. Onge, Byrd, Portwood and Jackson, relating to school credit.

HB 1738, introduced by Representatives Parker, Hubbard and Hoskins, relating to contributions to certain nonprofit organizations with a health-related mission.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 SS SCS HS HCS HB 1304, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS#2 SS SCS HS HCS HB 1304: Representatives Byrd, Crowell, Jetton, Harris (23) and Johnson (90).

PERFECTION OF HOUSE BILLS

HCS HB 1195, with HS, as amended, pending, relating to professional registration, was again taken up by Representative Behnen.

Speaker Pro Tem Jetton assumed the Chair.

Representative Bringer offered **House Amendment No. 3**.

Representative Goodman raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Behnen, **HS HCS HB 1195, as amended**, was adopted.

On motion of Representative Behnen, **HS HCS HB 1195, as amended**, was ordered perfected and printed.

HB 1409, relating to enterprise zones, was taken up by Representative Dempsey.

Representative Dempsey offered **HS HB 1409**.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1409, Section 135.155, Page 19, Line 21, by deleting all of said line and inserting in lieu thereof the following:

“135.155. For facilities commencing operations on or after January 1,”; and

Further amend said bill, Section 135.288, Page 29, Lines 10-13, by striking all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 1** was adopted.

Representative Lembke offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1409, Page 71, Section 196.1104, Line 15 of said page, by inserting at the end of said line the following:

"All moneys committed, contributed, or paid under the provisions of this section, that are derived from federal, state, or local taxes, from loans or grants of any federal, state, or local government or governmental authority, from loans or grants of a federal or state institution, instrumentality, or agency, from the proceeds of bonds issued by any public authority, from intergovernmental transfers, and from the adjudication or settlement of any claims or causes of action pursued by a federal, state, or local government or any agency thereof, shall be treated as if appropriated to the life sciences research board pursuant to sections 196.1100 to 196.1124, and shall be subject to the provisions of subsections 2 to 5 of section 196.1127."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lembke, **House Amendment No. 2** was adopted.

Representative Wilson (119) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Bill No. 1409, Pages 29 and 30, Section 135.484, Lines 14 to 25 and 1 to 24, by deleting all of said lines.

Further amend said bill, Page 32, Section 135.546, Line 10, by inserting after all of said line the following:

"135.900. As used in sections 135.900 to 135.910, the following terms mean:

- (1) "Department", the department of economic development;**
- (2) "Director", the director of the department of economic development;**
- (3) "Earned income", all income not derived from retirement accounts, pensions, or transfer payments;**
- (4) "New business facility", the same meaning as such term is defined in section 135.100; except that the term "lease" as used therein shall not include the leasing of property defined in paragraph (d) of subdivision (6) of this section;**
- (5) "Population", all residents living in an area who are not enrolled in any course at a college or university in the area;**
- (6) "Revenue-producing enterprise":**
 - (a) Manufacturing activities classified as SICs 20 through 39;**
 - (b) Agricultural activities classified as SIC 025;**
 - (c) Rail transportation terminal activities classified as SIC 4013;**
 - (d) Renting or leasing of residential property to low- and moderate-income persons as defined in 42 U.S.C.A. 5302(a)(20);**
 - (e) Motor freight transportation terminal activities classified as SIC 4231;**
 - (f) Public warehousing and storage activities classified as SICs 422 and 423 except SIC 4221, miniwarehouse warehousing and warehousing self-storage;**
 - (g) Water transportation terminal activities classified as SIC 4491;**
 - (h) Airports, flying fields, and airport terminal services classified as SIC 4581;**
 - (i) Wholesale trade activities classified as SICs 50 and 51;**
 - (j) Insurance carriers activities classified as SICs 631, 632, and 633;**

- (k) Research and development activities classified as SIC 873, except 8733;
- (l) Farm implement dealer activities classified as SIC 5999;
- (m) Employment agency activities classified as SIC 7361;
- (n) Computer programming, data processing, and other computer-related activities classified as SIC 737;
- (o) Health service activities classified as SICs 801, 802, 803, 804, 806, 807, 8092, and 8093;
- (p) Interexchange telecommunications as defined in subdivision (20) of section 386.020, RSMo, or training activities conducted by an interexchange telecommunications company as defined in subdivision (19) of section 386.020, RSMo;
- (q) Recycling activities classified as SIC 5093;
- (r) Banking activities classified as SICs 602 and 603;
- (s) Office activities as defined in subdivision (8) of section 135.100, notwithstanding SIC classification;
- (t) Mining activities classified as SICs 10 through 14;
- (u) The administrative management of any of the foregoing activities; or
- (v) Any combination of any of the foregoing activities;
- (8) "SIC", the standard industrial classification as such classifications are defined in the 1987 edition of the standard industrial classification manual as prepared by the executive office of the president, office of management and budget;
- (9) "Transfer payments", payments made under Medicaid, Medicare, Social Security, child support or custody agreements, and separation agreements.

135.903. 1. To qualify as a rural empowerment zone, an area shall meet all the following criteria:

- (1) The area is one of pervasive poverty, unemployment, and general distress;
- (2) At least sixty-five percent of the population has earned income below eighty percent of the median income of all residents within the state according to the last decennial census or other appropriate source as approved by the director;
- (3) The population of the area is at least four hundred but not more than three thousand five hundred at the time of designation as a rural empowerment zone;
- (4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis;
- (5) The area is situated more than ten miles from any existing rural empowerment zone;
- (6) The area is situated in a third or fourth class county; and
- (7) The area is not situated in an existing enterprise zone.

2. The governing body of any county in which an area may be designated a rural empowerment zone shall submit to the department an application showing that the area complies with the requirements of subsection 1 of this section. The department shall declare the area a rural empowerment zone if upon investigation the department finds that the area meets the requirements of subsection 1 of this section. If the area is found not to meet the requirements, the governing body shall have the opportunity to submit another application for designation as a rural empowerment zone and the department shall designate the area a rural empowerment zone if upon investigation the department finds that the area meets the requirements of subsection 1 of this section.

135.910. All of the Missouri taxable income attributed to a new business facility in a rural empowerment zone which is earned by a taxpayer establishing and operating a new business facility located within a rural empowerment zone shall be exempt from taxation under chapter 143, RSMo, if such new business facility is responsible for the creation of ten new full-time jobs in the zone within one year from the date on which the tax abatement begins. All of the Missouri taxable income attributed to a revenue-producing enterprise in a rural empowerment zone which is earned by a taxpayer operating a revenue-producing enterprise located within a rural empowerment zone and employing nineteen or fewer full-time employees shall be exempt from taxation under chapter 143, RSMo, if such revenue-producing enterprise is responsible for the creation of five new full-time jobs in the zone within one year from the date on which the tax abatement begins. All of the Missouri taxable income attributed to a revenue-producing enterprise in a rural empowerment zone which is earned by a taxpayer operating a revenue-producing enterprise located within a rural empowerment zone and employing twenty or more full-time employees shall be exempt from taxation under chapter 143, RSMo, if such revenue-producing enterprise is responsible for the creation of a number of new full-time jobs in the zone equal to twenty-five percent of the number of full-time employees employed by the revenue-producing enterprise on the date on which tax abatement begins within one year from the date on which the tax abatement begins.

135.911. The provisions of sections 135.900 to 135.910 shall expire on August 28, 2014."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wilson (119), **House Amendment No. 3** was adopted.

Representative Young offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Bill No. 1409, Section 135.262, Page 28, Line 19, by inserting the following after all of said line:

"135.263. 1. In addition to any other enterprise zones authorized in this chapter, the department of economic development shall designate one enterprise zone in the portions of any city of the fourth classification with more than three thousand eight hundred but less than four thousand inhabitants and located in more than one county and any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants which include a political subdivision that receives a portion of its funding from section 163.031, RSMo, and is located in part in a home rule city with more than four hundred thousand inhabitants and located in more than one county. Such enterprise zone shall only be made if the area to be included in the enterprise zone meets all the requirements of section 135.205.

2. In addition to any other enterprise zones authorized in this chapter, the department of economic development shall designate one such zone in a city of the fourth classification with more than thirty thousand three hundred but less than thirty thousand seven hundred inhabitants. Such enterprise zone shall only be made if the area to be included in the enterprise zone meets all the requirements of section 135.205."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Young, **House Amendment No. 4** was adopted.

Representative Byrd offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Bill No. 1409, Page 54, Section 135.1077, Line 6, by inserting after said line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.584, RSMo; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the

provisions of the Missouri pesticide registration law (sections 281.220 to 281.310, RSMo) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation, slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility which converts recovered materials into a new product, or a different form which is used in producing a new product, and shall include a facility or equipment which is used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning pursuant to section 301.010, RSMo;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public, **provided, however, that this exemption shall not apply to the purchase of said products by a publicly traded company, if said company, or its parent company, has annual operating revenues in excess of two hundred fifty million dollars and a Missouri based average daily newspaper circulation in excess of two hundred thousand;**

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200, RSMo. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the

department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, solely in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530, RSMo;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, RSMo, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use;

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, which is ultimately consumed in connection with the manufacturing of cellular glass products;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Rector assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

On motion of Representative Byrd, **House Amendment No. 5** was adopted by the following vote:

AYES: 074

Baker	Bean	Bearden	Behnen	Bivins
Bough	Brown	Bruns	Byrd	Cooper 120
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
Emery	Ervin	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jetton	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	May	Mayer	Miller	Moore
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman

Rupp	Schneider	Self	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	

NOES: 072

Angst	Barnitz	Bishop	Black	Bland
Boykins	Bringer	Brooks	Burnett	Campbell
Cooper 155	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Green	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	Meadows
Meiners	Morris	Muckler	Page	Ransdall
Sager	Salva	Sander	Schaaf	Schlottach
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 002

Engler	Fares
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ABSENT WITH LEAVE: 015

Abel	Avery	Carnahan	Dougherty	Hampton
Holand	Hubbard	Kelly 36	Marsh	McKenna
Shoemaker	Townley	Vogt	Wagner	Madam Speaker

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **House Amendment No. 5.**

Representative Angst offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Bill No. 1409, Page 19, Section 100.850, Line 16, by deleting the word “**eighteen**” and inserting in lieu thereof the word “**fifteen**”; and

Further amend said bill, Page 49, Section 135.1070, Line 13, by deleting the word “**four**” and inserting in lieu thereof the word “**seven**”; and

Further amend said bill, Section 196.1104, Page 71, Line 15, by inserting after all of said line the following:
“Section 1. All enterprise zones designated before January 1, 2006 shall be eligible to receive the tax benefits under sections 135.1050 through 135.1075.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Angst, **House Amendment No. 6** was adopted.

Representative Selby offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Bill No. 1409, Page 27, Section 135.217, Line 19, by inserting after said line the following:

“135.218. In addition to any other enterprise zones authorized pursuant to this chapter, the department of economic development shall designate one enterprise zone that shall have boundaries that are the same as any city of the fourth classification with more than five thousand four hundred but less than five thousand five hundred inhabitants and located in more than one county. Such enterprise zone designation shall only be made if the area that is to be included in the enterprise zone meets all the requirements of section 135.205.

135.219. In addition to any other enterprise zones authorized pursuant to this chapter, the department of economic development shall designate one enterprise zone that shall have boundaries that are the same as any city of the fourth classification with more than four thousand three hundred but less than four thousand five hundred located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants. Such enterprise zone designation shall only be made if the area that is to be included in the enterprise zone meets all the requirements of section 135.205.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Selby, **House Amendment No. 7** was adopted.

Representative Stevenson offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Bill No. 1409, Page 10, Section 32.110, Line 6, by inserting after all of said line the following:

"67.1303. 1. The governing body of any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure.

Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county.

At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

6. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning

the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

7. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

8. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

9. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 8** was adopted by the following vote:

AYES: 081

Angst	Baker	Barnitz	Bean	Behnen
Bivins	Black	Bough	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Deeken	Dempsey	Dethrow	Dixon
Emery	Engler	Fares	Goodman	Guest
Hilgemann	Hobbs	Hunter	Icet	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Kratky	Lawson	Lipke	Luetkemeyer	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Purgason	Quinn	Rector	Reinhart	Richard
Ruestman	Rupp	Schaaf	Schlottach	Schneider
Self	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Townley
Viebrock	Wallace	Wasson	Wildberger	Wilson 119
Wilson 130	Wood	Wright	Yates	Young
Madam Speaker				

NOES: 069

Bishop	Bland	Boykins	Bringer	Brooks
Brown	Burnett	Campbell	Corcoran	Curls

Darrough	Daus	Davis 122	Davis 19	Donnelly
Dougherty	Dusenberg	Ervin	Fraser	George
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kuessner	Lager
Lembke	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Portwood
Pratt	Ransdall	Roark	Sager	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Wagner	Walker	Walsh
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Zweifel	

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 012

Abel	Avery	Bearden	Carnahan	Graham
Holand	Marsh	Sander	Seigfreid	Shoemaker
Threlkeld	Vogt			

Representative Seigfreid offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Substitute for House Bill No. 1409, Section 32.105, Page 6, Line 17, by striking from said line the open bracket “[”;

Further amend said section, Page 7, Line 2, by striking from said line the closed bracket “]”;

Further amend said section by renumbering all subdivisions appropriately;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Seigfreid, **House Amendment No. 9** was adopted.

Representative Smith (118) offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Bill No. 1409, Page 26, Section 135.214, Line 25, by inserting after all of said line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, RSMo, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, RSMo, and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845, RSMo, unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820, RSMo.

7. Any business existing in an enterprise zone on the effective date of this section shall recertify for the abatement and exemption. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction. Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 10** was adopted.

Representative Myers offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Bill No. 1409, Page 68, Section 196.1104, Line 23, by inserting the following in the appropriate location:

Add after (ELSRC) the words "**including agricultural life science positions**".

On motion of Representative Myers, **House Amendment No. 11** was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell

Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 068

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Villa	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 008

Abel	Avery	Carnahan	Hampton	Marsh
Shoemaker	Thompson	Vogt		

On motion of Representative Dempsey, **HS HB 1409, as amended**, was adopted.

On motion of Representative Dempsey, **HS HB 1409, as amended**, was ordered perfected and printed.

HCS HBs 1477 & 1563, relating to the Missouri Hospital Infection Control Act, was taken up by Representative Schaaf.

Representative Schaaf offered **HS HCS HBs 1477 & 1563**.

Representative Pratt resumed the Chair.

Representative Schoemehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1477 & 1563, Page 14, Section 192.667, Line 16 of said page, by deleting the word “**may**” and inserting in lieu thereof the words “**shall be authorized to**”; and

Further amend said bill, Page 16, Section 197.150, Line 18 of said page, by inserting after the word “**the**” the word “**facility’s**”; and

Further amend said bill, Page 20, Section 197.165, Line 25 of said page, by deleting the words “**a public member**” and inserting in lieu thereof the words “**two public members**”.

On motion of Representative Schoemehl, **House Amendment No. 1** was adopted.

On motion of Representative Schaaf, **HS HCS HBs 1477 & 1563, as amended**, was adopted.

On motion of Representative Schaaf, **HS HCS HBs 1477 & 1563, as amended**, was ordered perfected and printed.

HCS HB 1403, relating to amusement rides, was taken up by Representative Moore.

Representative Skaggs offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1403, Page 5, Section 316.233, Line 12, by inserting after said line the following:

“319.520. 1. For purposes of this section, the following terms mean:

(1) “Disaster or emergency”, includes, but is not limited to, fires, floods or flash floods, tornados, winter storms, earthquakes, explosions, or loss of utility services;

(2) “Emergency management plan”, a coordinated process for responding to an emergency, providing for life safety, property protection, notification and warning, evacuation routes and exits, and similar considerations;

(3) “Amusement park”, any privately owned commercial operation offering amusement rides for fee located in a fixed location with annual gross sales in excess of three million dollars.

2. Any amusement park located in this state shall develop an emergency management plan to provide a process for responding to a disaster or emergency. The plan shall be submitted to the office of the state fire marshal within six months after the effective date of this section and shall be posted in a conspicuous location at the amusement park.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Hanaway resumed the Chair.

On motion of Representative Skaggs, **House Amendment No. 1** was adopted.

Representative Graham offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1403, Page 5, Section 316.233, Line 12, by inserting after said line the following:

“316.238. All rock climbing walls over ten feet tall operated in this state, except as provided in paragraph (d) and (e) of subdivision (1) of section 316.203, shall be subject to the same rules and regulations as amusement rides pursuant to sections 316.200 to 316.238.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 2** was adopted.

On motion of Representative Moore, **HCS HB 1403, as amended**, was adopted.

On motion of Representative Moore, **HCS HB 1403, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 35 - Special Committee on General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1021 - Budget

HB 1707 - Small Business

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1678 - Small Business

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 24 - Children and Families

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 758 - Local Government

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Communications, Energy and Technology, Chairman Rector reporting:

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **SCS SB 878**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Ethics, Chairman Crowell reporting:

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the Dairy Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

TO: Representative Jason Crowell
Chairman, House Ethics Committee

FROM: Representative Jerry R. King

DATE: March 8, 2004

SUBJECT: Dairy Caucus

In accordance with Section 105.473.3(2)(c)d RSMo, I am requesting the addition of Representative Belinda Harris as a member to the Missouri House Dairy Caucus.

Thank you very much for your time and attention to this matter.

/s/ Belinda Harris (110)

Madam Speaker: Your Committee on Ethics, to which was referred the **FFA Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

TO: Representative Jason Crowell
Chair Ethics Committee

FROM: Representative Jim Viebrock

DATE: March 11, 2004

RE: FFA Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the FFA Caucus.

Representative

District

/s/ Jim Viebrock	134
/s/ Larry Taylor	68
/s/ Jerry King	125
/s/ Jim Guest	5
/s/ Brian Munzlinger	1
/s/ Steve Hunter	127
/s/ Jerry Bough	142
/s/ David Pearce	121
/s/ Tom Self	116
/s/ Larry Wilson	119
/s/ Mike Sutherland	99
/s/ Steve Hobbs	21
/s/ Mike Dethrow	153
/s/ Charlie Schlottach	111
/s/ Jay Wasson	141
/s/ Maynard Wallace	143
/s/ John Quinn	7
/s/ Bob May	149
/s/ Peter Myers	160
/s/ Vicki Schneider	17
/s/ Otto Bean, Jr.	163
/s/ Merrill Townley	112
/s/ Bob Dixon	140

Madam Speaker: Your Committee on Ethics, to which was referred the **House Chair Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Jason Crowell, Chairman
House Ethics Committee

FROM: Representative Shannon Cooper
House Chair Caucus

DATE: March 8, 2004

RE: House Chair Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 92nd General Assembly's House of Representatives House Chair Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-1484 if you have any questions concerning this caucus organization.

House Committee Chairs

Administration & Accounts	/s/ Ronnie Miller, District 133
Agriculture	/s/ Peter Myers, District 160
Appropriations - Agriculture and Natural Resources	/s/ John Quinn, District 7
Appropriations - Education	/s/ Kathryn Fares, District 91
Appropriations - General Administration	/s/ Bradley Roark, District 139
Appropriations - Health, Mental Health and Social Services	/s/ Chuck Purgason, District 151

Appropriations - Public Safety and Corrections	/s/ Danie Moore, District 20
Appropriations - Transportation and Economic Development	/s/ Lanie Black, District 161
Budget	/s/ Carl Bearden, District 16
Children and Families	/s/ Susan Phillips, District 32
Communications, Energy and Technology	/s/ Rex Rector, District 124
Conservation and Natural Resources	/s/ Merrill Townley, District 112
Corrections and State Institutions	/s/ Van Kelly, District 144
Crime Prevention and Public Safety	/s/ Robert Mayer, District 159
Education	/s/ Jane Cunningham, District 86
Elections	/s/ Bob May, District 149
Ethics	/s/ Jason Crowell, District 158
Financial Services	/s/ Blaine Luetkemeyer, District 115
Health Care Policy	/s/ Roy Holand, District 135
Homeland Security and Veterans Affairs	/s/ Jack Jackson, District 89
Job Creation and Economic Development	/s/ Tom Dempsey, District 18
Judiciary	/s/ Richard Byrd, District 94
Local Government	/s/ Robert Thane Johnson, District 47
Professional Registration and Licensing	/s/ Bob Behnen, District 2
Retirement	/s/ Todd Smith, District 118
Senior Security	/s/ Dr. Charles Portwood, District 92
Small Business	/s/ Neal St. Onge, District 88
Tax Policy	/s/ Shannon Cooper, District 120
Tourism and Cultural Affairs	/s/ B. J. Marsh, District 136
Transportation and Motor Vehicles	/s/ Larry Crawford, District 117
Workforce Development and Workplace Safety	/s/ Steve Hunter, District 127

Madam Speaker: Your Committee on Ethics, to which was referred the **Missouri Cancer Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

March 31, 2004

The Honorable Jason Crowell
Chairman, Rules Committee
State Capitol Building
Jefferson City, Missouri 65101

Dear Rep. Crowell:

Please accept the request for the undersigned Representatives to form the *Missouri Cancer Caucus*, which will consist of the elected members of the General Assembly listed below.

<u>Representative</u>	<u>District</u>	<u>Representative</u>	<u>District</u>
/s/ Scott Rupp	13	/s/ Jodi Stefanick	93
/s/ Bryan Pratt	55	/s/ Robert Mayer	159
/s/ Carl Bearden	16	/s/ Susan Phillips	32
/s/ Shannon Cooper	120	/s/ Trent Skaggs	31
/s/ Bryan Stevenson	128	/s/ Rachel Bringer	6
/s/ Jim Viebrock	134	/s/ Marsha Campbell	39
/s/ Tom Dempsey	18	/s/ Frank Barnitz	150
/s/ Chuck Portwood	92	/s/ Jenee Lowe	44
/s/ Allen Icet	84	/s/ Randy Angst	146
/s/ Ryan Nieves	98	/s/ Steve Hobbs	21

/s/ Mike Sutherland	99	/s/ Terry Young	49
/s/ Brad Roark	139	/s/ Vicki Schneider	17
/s/ Wes Wagner	104	/s/ Jim Guest	5
/s/ Brian Yates	56	/s/ Charles Schlottach	111
/s/ Brad Lager	4	/s/ Joe Smith	14
/s/ Annie Reinhart	34	/s/ Gary Dusenberg	54
/s/ Brian Munzlinger	1	/s/ Richard Byrd	94
/s/ D.J. Davis	122	/s/ Kevin Threlkeld	109
/s/ Scott Lipke	157	/s/ Jason Brown	30
/s/ Ryan McKenna	102	/s/ Jack Goodman	132
/s/ Paul LeVota	52	/s/ David Pearce	121
/s/ Mark Bruns	113		
/s/ Robert Thane Johnson	47		
/s/ Todd Smith	118		
/s/ Thomas A. Villa	108		
/s/ James Lembke	85		
/s/ Sherman Parker	12		
/s/ Rod Jetton	156		
/s/ Steve Hunter	127		

Madam Speaker: Your Committee on Ethics, to which was referred **additions to the Missouri Forest Products Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

TO: Representative Jason Crowell, Chairman
House Ethics Committee

FROM: Representative J.C. Kuessner and Representative Chuck Purgason

DATE: February 25, 2004

RE: Missouri Forest Products Caucus Member Requests

Pursuant to Section 105.473.3(2)(c)d RSMo, and the rules of the Missouri House of Representatives, we are requesting the additions of Representative Belinda Harris and Representative Brian Munzlinger as members of the Missouri Forest Products Caucus.

/s/ Representative Belinda Harris
District 110

/s/ Representative Brian Munzlinger
District 1

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **HB 1408**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 717**, entitled:

An act to repeal section 21.183, RSMo, and to enact in lieu thereof four new sections relating to the general assembly, with a termination date for certain sections.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 888**, entitled:

An act to repeal sections 143.121 and 143.431, RSMo, and to enact in lieu thereof two new sections relating to nonresident income tax.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1076**, entitled:

An act to repeal section 461.300, RSMo, and to enact in lieu thereof one new section relating to nonprobate transfers.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1116**, entitled:

An act to repeal sections 407.1095, 407.1098, 407.1101, and 407.1104, RSMo, and to enact in lieu thereof four new sections relating to the telemarketing no-call list.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1166**, entitled:

An act to repeal section 49.272, RSMo, and to enact in lieu thereof one new section relating to civil fines for certain misdemeanors, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1279**, entitled:

An act to repeal sections 192.020, 192.067, 192.138, 192.665, 192.667, and 197.293, RSMo, and to enact in lieu thereof seventeen new sections relating to health care facilities, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 1370**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to energy conservation measures in public facilities.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1395**, entitled:

An act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to athletes and entertainers tax.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, April 15, 2004.

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 20, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HCR 30, HB 1624

BUDGET

Thursday, April 15, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. Fiscal review on HCS SS SCS SB 1099.

Committee will hear other bills assigned or referred for fiscal review. **AMENDED**

Public hearing to be held on: HB 1118

CONFERENCE COMMITTEE NOTICE

Thursday, April 15, 2004, 12:00 p.m. Senate Lounge.

Conference Committee will convene at noon or upon Senate adjournment whichever comes first.

CONSERVATION AND NATURAL RESOURCES

Thursday, April 15, 2004, House Chamber side gallery upon morning adjournment.

Executive session.

ELECTIONS

Thursday, April 15, 2004, House Chamber side gallery upon morning adjournment.

Executive session.

HEALTH CARE POLICY

Thursday, April 15, 2004, House Chamber side gallery upon afternoon adjournment.

Executive session.

Public hearings to be held on: SCR 34, SB 1083

HOMELAND SECURITY AND VETERANS AFFAIRS

Thursday, April 15, 2004, 9:45 a.m. House Chamber side gallery.

Executive session will be held on: SCS SB 1365

INTERIM COMMITTEE ON WATER QUALITY ISSUES

Thursday, April 15, 2004, Hearing Room 1 upon afternoon adjournment.

Informational meeting on HCS HB 1433.

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Monday, April 19, 2004, 9:30 a.m. Hearing Room 6.

Departments of Mental Health, Economic Development and Public Safety.

Discussion of letter to White House Task Force.

LOCAL GOVERNMENT

Thursday, April 15, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: SS SCS SB 1081, SB 1296, SB 951, SCS SB 987, SB 1302, SB 1055

RULES

Thursday, April 15, 2004, 8:30 a.m. Hearing Room 5.

Executive session may follow. Note SB 1108 is Revision bill SRB 1108.

Public hearings to be held on: HR 1033, SB 1108, SCR 30

SENIOR SECURITY

Thursday, April 15, 2004, House Chamber side gallery upon afternoon adjournment.

Executive session will be held on: SB 1123, SCS SB 1160, SS SS SCS SB 1371

TAX POLICY

Thursday, April 15, 2004, House Chamber side gallery upon morning adjournment.

Executive session will be held on: HB 934, HB 1702, HB 1713, SB 1285, SB 1311

HOUSE CALENDAR

FIFTY-SECOND DAY, THURSDAY, APRIL 15, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 37

HOUSE BILLS FOR SECOND READING

HB 1732 through HB 1738

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HCS HB 1099 - Reinhart (34)
- 7 HB 1424 - Stefanick (93)
- 8 HB 773 - Icet (84)
- 9 HB 1302 - Lager (4)
- 10 HCS HB 1085 - Townley (112)
- 11 HB 1337 - Nieves (98)
- 12 HB 1109 - Crawford (117)
- 13 HB 1160 - Parker (12)
- 14 HCS HB 1243, 1094 & 931 - Mayer (159)
- 15 HB 844 - Mayer (159)
- 16 HCS HB 1286 & 1175 - Guest (5)
- 17 HCS HB 1267 - Cooper (120)
- 18 HCS HB 1285 - Engler (106)
- 19 HCS HB 1433 - Wood (62)
- 20 HCS HB 1093 - Deeken (114)
- 21 HB 1408 - Mayer (159)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 774 - Sander (22)
- 2 HCS HB 1617 - Hanaway (87)
- 3 HB 1664 - Hanaway (87)
- 4 HB 1665 - Hanaway (87)
- 5 HS HCS HB 1195 - Behnen (2)
- 6 HS HB 1409 - Dempsey (18)
- 7 HS HCS HB 1477 & 1563 - Schaaf (28)
- 8 HCS HB 1403 - Moore (20)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118, (Budget 4-01-04) - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR SECOND READING

- 1 SB 717
- 2 SB 888
- 3 SB 1076
- 4 SCS SB 1116
- 5 SB 1166
- 6 SS SCS SB 1279
- 7 SS SB 1370
- 8 SB 1395

SENATE BILL FOR THIRD READING - CONSENT

SCS SB 878 - Rector (124)

SENATE BILLS FOR THIRD READING

- 1 HCS SB 1080 - Wallace (143)
- 2 HCS SCS SB 754 - Luetkemeyer (115)
- 3 HCS SS SCS SB 1099, (Budget 4-13-04) - Dempsey (18)

BILLS IN CONFERENCE

- 1 HS HCS SS SCS SB 730, as amended - Portwood (92)
- 2 CCR#2 HCS SB 739, as amended - Myers (160)
- 3 SS#2 SS SCS HS HCS HB 1304, as amended - Byrd (94)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-SECOND DAY, THURSDAY, APRIL 15, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Representative Betty L. Thompson.

I thank God for another day, a day that you and I have never seen before. But a day that will make us a little bit better. We ask the Lord to bless each person gathered in this Assembly. Bless each of our legislators, families, and bless the people we serve. God, help us while we're here that we may effectively help the people we serve. As we vote on issues that affect all people, give us the courage, strength, hope, faith and good will to fight for those things that are right. I ask that You continue to shower Your many blessings upon the many people that have traveled across this state and beyond to help me celebrate Betty L. Thompson Day.

We are truly blessed to have with us this morning the son of the late Dr. Martin Luther King, Jr., Martin Luther King, III, the Vashon Basketball Champions and Coach Floyd Irons, Rev. Sterling Lands, III, of Austin, Texas, Captain Charles Alphin and attorney Michael Ross, of Atlanta, Georgia, and my Pastor and First Lady Rev. and Mrs. Harold Butler, my family, friends, and colleagues that I serve with in this House.

As my term rapidly comes to an end, and after 37 years of political and community service to people, I also ask that you continue to keep me in your prayers and also my fellow colleagues. Always remember God cares. If God cares for the little sparrow, you know He cares for you, so let's walk together children and don't get weary. There's a great day coming in the Promised Land. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Austin Reed, Ryan Shippy, Calla Marsh, Dima Zayets, Tom Dowell, Ashley Grindstaff, Maggie Hilliard, Nicole Lieb, Danielle Zaner, Taylor Burns, Andrea Sumpter, Dane Bonnarens, Laura Kirchoff, Austin Willingham, Lindsey Herberger, Lerena Nelson, Jordan Ripley, Sydney Heck, Kelsay Clement, Sidney Turner, Brady Miller, Ashley Fleil, Jonathan Robertson, Tyson Miller, Lindsey Hicks, Ben Hurst, Dallas Hurst, Taylor Hurst, Jessica Rolf, Ashley Kelly and Kyle Marcolla.

The Journal of the fifty-first day was approved as corrected.

SPECIAL RECOGNITION

Norman Wilson was introduced by Representative Harris (110) and recognized as an Outstanding Missourian.

The Republic Lady Tigers and Head Coach, Mr. Kris Flood, who was named 2004 “Coach of the Year”, were introduced by Representative Viebrock and recognized for achieving the Class 4 State Championship.

The 2004 Vashon High School Wolverines Boys Basketball State Champions were introduced by Representatives Boykins and Hubbard and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1753	-	Representative Roark
House Resolution No. 1754	-	Representative Dusenberg
House Resolution No. 1755		
through		
House Resolution No. 1760	-	Representative Crowell
House Resolution No. 1761		
through		
House Resolution No. 1764	-	Representative Muckler
House Resolution No. 1765	-	Representative Meadows
House Resolution No. 1766	-	Representative Muckler
House Resolution No. 1767	-	Representative Ervin
House Resolution No. 1768		
and		
House Resolution No. 1769	-	Representative Skaggs
House Resolution No. 1770		
and		
House Resolution No. 1771	-	Representative Wilson (119)
House Resolution No. 1772	-	Representative Ward
House Resolution No. 1773	-	Representative Skaggs
House Resolution No. 1774	-	Representative Smith (118)
House Resolution No. 1775		
through		
House Resolution No. 1777	-	Representative Lager
House Resolution No. 1778	-	Representative Daus
House Resolution No. 1779	-	Representative Nieves
House Resolution No. 1780	-	Representative Luetkemeyer
House Resolution No. 1781	-	Representative Purgason
House Resolution No. 1782	-	Representative Hobbs

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1739, introduced by Representatives Page, Zweifel, Harris (110), Wildberger, Jolly, Young, Sutherland, Walton, Sager, Yaeger, Carnahan, Walker, Skaggs, Meadows, Willoughby, Hubbard, Meiners, LeVota and George, relating to the Small Employer Health Insurance Availability Act.

HB 1740, introduced by Representative Sutherland, relating to regulating the installation of manufactured homes.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 37 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1732 through **HB 1738** were read the second time.

SECOND READING OF SENATE BILLS

SB 717, **SB 888**, **SB 1076**, **SCS SB 1116**, **SB 1166**, **SS SCS SB 1279**, **SS SB 1370** and **SB 1395** were read the second time.

Representative Bean assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 774, relating to waste tires, was taken up by Representative Sander.

On motion of Representative Sander, **HCS HB 774** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby

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Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Townley

PRESENT: 001

Taylor

ABSENT WITH LEAVE: 002

Avery King

Representative Bean declared the bill passed.

HCS HB 1617, relating to the obstruction of securities investigations, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HCS HB 1617** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Decken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	Kingery	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng

St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Hilgemann Ward

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Byrd	Graham	Johnson 47	King
Kratky	Kuessner	Smith 118		

Representative Bean declared the bill passed.

HB 1664, relating to business entities, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HB 1664** was read the third time and passed by the following vote:

AYES: 117

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Boykins	Brown	Bruns	Byrd	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Daus	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	George	Goodman	Green
Guest	Hampton	Harris 110	Hobbs	Holand
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kingery
Kratky	Lager	Lawson	Lembke	LeVota
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Self	Shoemaker	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Wallace	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wood	Wright	Yates
Young	Madam Speaker			

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NOES: 042

Bishop	Bland	Bringer	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Darrough
Davis 122	Donnelly	El-Amin	Fraser	Graham
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Johnson 90	Kelly 36	Kuessner	Liese	Lowe
Meadows	Muckler	Seigfreid	Selby	Shoemyer
Skaggs	Swinger	Walker	Walsh	Walton
Ward	Wildberger	Wilson 25	Wilson 42	Witte
Yaeger	Zweifel			

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 003

Avery	King	Taylor
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Representative Bean declared the bill passed.

HB 1665, relating to securities regulation, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HB 1665** was read the third time and passed by the following vote:

AYES: 132

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Bringer	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Green
Guest	Hampton	Harris 110	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Nieves
Page	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Walker
Wallace	Walsh	Walton	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42

Witte	Wood	Wright	Yaeger	Yates
Young	Madam Speaker			

NOES: 025

Abel	Bishop	Burnett	Daus	Donnelly
El-Amin	Fraser	George	Graham	Harris 23
Johnson 90	Liese	Lowe	Meadows	Parker
Rupp	Sager	Shoemyer	Skaggs	Spreng
Vogt	Wagner	Ward	Whorton	Zweifel

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Avery	King	Myers	Schneider	Shoemaker
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Representative Bean declared the bill passed.

HS HCS HB 1195, relating to professional registration, was taken up by Representative Behnen.

On motion of Representative Behnen, **HS HCS HB 1195** was read the third time and passed by the following vote:

AYES: 142

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Whorton

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Wildberger	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 010

Corcoran	Darrough	Donnelly	Hilgemann	Sager
Selby	Walker	Walton	Ward	Wilson 25

PRESENT: 002

Brooks	Wilson 42
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ABSENT WITH LEAVE: 009

Abel	Avery	Burnett	Dempsey	Johnson 61
King	Miller	Thompson	Townley	

Representative Bean declared the bill passed.

HCS HB 1403, relating to amusement rides, was taken up by Representative Moore.

On motion of Representative Moore, **HCS HB 1403** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger

Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Johnson 61	King	Miller	Schlottach
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Representative Bean declared the bill passed.

Speaker Hanaway resumed the Chair.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 1126 - Tourism and Cultural Affairs
HR 1402 - Administration and Accounts
HR 1547 - Education
HR 1557 - Job Creation and Economic Development
HR 1564 - Judiciary

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 11 - Senior Security
HCR 17 - Senior Security
HCR 18 - Homeland Security and Veterans Affairs
HCR 19 - Education
HCR 20 - Senior Security
HCR 23 - Homeland Security and Veterans Affairs
HCR 25 - Conservation and Natural Resources
HCR 26 - Conservation and Natural Resources
HCR 27 - Budget
HCR 28 - Crime Prevention and Public Safety
HCR 31 - Education
HCR 32 - Tourism and Cultural Affairs
HCR 34 - Senior Security
HCR 36 - Tourism and Cultural Affairs

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 34 - Transportation and Motor Vehicles
HJR 48 - Rules
HJR 55 - Rules
HJR 57 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HB 1409 - Budget (Fiscal Note)
HS HCS HBs 1477 & 1563 - Budget (Fiscal Note)
HB 815 - Tax Policy
HB 1569 - Elections
HB 1698 - Transportation and Motor Vehicles
HB 1700 - Crime Prevention and Public Safety
HB 1701 - Tax Policy
HB 1704 - Children and Families
HB 1705 - Judiciary
HB 1706 - Tax Policy
HB 1708 - Tax Policy
HB 1709 - Crime Prevention and Public Safety
HB 1710 - Education
HB 1711 - Transportation and Motor Vehicles
HB 1716 - Transportation and Motor Vehicles
HB 1718 - Judiciary
HB 1719 - Transportation and Motor Vehicles
HB 1720 - Judiciary
HB 1723 - Crime Prevention and Public Safety
HB 1724 - Local Government
HB 1725 - Crime Prevention and Public Safety
HB 1726 - Crime Prevention and Public Safety
HB 1727 - Tax Policy
HB 1728 - Judiciary
HB 1729 - Tax Policy

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 1118** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SB 1099** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HB 1599**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **SS SCS SBs 740, 886 & 1178**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCS SB 1040**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 1040, Page 13, Section 260.475, Line 27 of said page by deleting the word “Sixty” and inserting in lieu there of the word “[Sixty] **Forty**”; and

Further amend said page, Line 30 of said page, by deleting the word “Forty” and inserting in lieu there of the word “[Forty] **Sixty**”; and

Further amend said page, Line 39 of said page, by deleting the word “Sixty” and inserting in lieu there of the word “[Sixty] **Forty**”; and

Further amend said page, Line 40 of said page, by deleting the word “Forty” and inserting in lieu there of the word “[Forty] **Sixty**”; and

Further amend said page, Line 45 of said page, by deleting the word “Sixty” and inserting in lieu there of the word “[Sixty] **Forty**”; and

Further amend said page, Line 46 of said page, by deleting the word “Forty” and inserting in lieu there of the word “[Forty] **Sixty**”; and

Further amend said substitute, Page 16, Section 260.479, Line 74 of said page, by deleting the word “Sixty” and inserting in lieu there of the word “[Sixty] **Forty**”; and

Further amend said page, Line 77 of said page, by deleting the word “Forty” and inserting in lieu there of the word “[Forty] **Sixty**”; and

Further amend said page, Line 85 of said page, by inserting immediately after the word “date” the following:

“and reported to the department”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **HB 1509**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 1331**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Senior Security, Chairman Portwood reporting:

Madam Speaker: Your Committee on Senior Security, to which was referred **SB 1123**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Senior Security, to which was referred **SCS SB 1160**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **HB 1671**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Special Committee on General Laws, to which was referred **SCS SBs 1020, 889 & 869**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SBs 1144, 919 & 874**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Madam Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SB 932**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 1123 - Budget (Fiscal Note)

SCS SB 1116 - Communications, Energy and Technology

SS SB 1370 - Communications, Energy and Technology

SB 1395 - Tax Policy

CONFERENCE COMMITTEE REPORT ON HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 730

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 2, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 730;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 730, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Michael Gibbons
/s/ Carl Vogel
/s/ Wayne Goode
/s/ Joan Bray

FOR THE HOUSE:

/s/ Charles Portwood
/s/ Jim Lembke
/s/ Kevin Threlkeld
/s/ Robert Hilgemann
/s/ Matt Muckler

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS#2 SS SCS HS HCS HB 1304, as amended**: Senators Scott, Gibbons, Bartle, Jacob and Caskey.

RECESS

On motion of Representative Crowell, the House recessed until the Conference Committee Report on **SS#2 SS SCS HS HCS HB 1304, as amended**, was distributed.

The hour of recess having expired, the House was called to order by Speaker Hanaway.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE #2 FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1304

The Conference Committee appointed on Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, with Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1304;
3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Delbert Scott
/s/ Michael Gibbons
/s/ Matt Bartle

FOR THE HOUSE:

/s/ Richard Byrd
/s/ Jason Crowell
/s/ Rod Jetton

ADJOURNMENT

On motion of Speaker Hanaway, the House adjourned as of 10:45 p.m., Thursday, April 15, 2004, until 4:00 p.m., Monday, April 19, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Wednesday, April 14, 2004, Page 1099, Line 12, by deleting the name “Ryan” and inserting in lieu thereof the name “Brian”.

AFFIDAVITS

I, State Representative Paul LeVota, District 52, hereby state and affirm that my vote as recorded on Page 1077 of the House Journal for Wednesday, April 14, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of April 2004.

/s/ Paul LeVota
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

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I, State Representative Sherman Parker, District 12, hereby state and affirm that my vote as recorded on Page 1077 of the House Journal for Wednesday, April 14, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of April 2004.

/s/ Sherman Parker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Philip Willoughby, District 33, hereby state and affirm that my vote as recorded on Page 1077 of the House Journal for Wednesday, April 14, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of April 2004.

/s/ Philip Willoughby
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 20, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HCR 30, HB 1624

BUDGET

Monday, April 19, 2004, 2:00 p.m. Hearing Room 3.

Possible Executive session. Fiscal review on HS HB 1409 and HS HCS HB 1477 & 1563.

Committee will hear bills assigned or referred for fiscal review.

BUDGET

Tuesday, April 20, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. Committee will hear other bills assigned or referred for fiscal review.

Public hearing to be held on: HB 1021

CHILDREN AND FAMILIES

Tuesday, April 20, 2004, Hearing Room 1 upon evening adjournment.

Public hearing to be held on: HB 1551

Executive session may be held on: HB 1263, SJR 29, HB 799, HB 1339

CORRECTIONS AND STATE INSTITUTIONS

Tuesday, April 20, 2004, Hearing Room 7 upon evening adjournment.

Public hearings to be held on: SCS SB 1044, SB 1322

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 20, 2004, Hearing Room 3 upon afternoon adjournment.

Public hearings to be held on: HB 1470, SS SCS SCR 36, SCS SB 1265, SCS SB 1225

Executive session will be held on: SCS SB 788, SS SS SCS SB 715

ELECTIONS

Tuesday, April 20, 2004, Hearing Room 7 upon evening adjournment.

Executive session will precede the hearing.

Public hearings to be held on: HB 1549, HB 1574, HB 1685

Executive session will be held on: SCS SB 1197

FINANCIAL SERVICES

Tuesday, April 20, 2004, 12:00 p.m. Hearing Room 6.

Executive session may occur.

Public hearings to be held on: SCS SB 974, SCS SB 1078, SB 1086,

SCS SB 1188, SCS SB 1215, SCS SB 1235, SB 1299, SB 1320

JOINT COMMITTEE ON OUT-OF-SCHOOL PROGRAMS

Monday, April 19, 2004, 9:30 a.m. Hearing Room 6.

Departments of Mental Health, Economic Development, and Public Safety.

Discussion of letter to White House Task Force.

LOCAL GOVERNMENT

Tuesday, April 20, 2004, House Chamber side gallery upon morning adjournment.

Executive session will be held on: SS SCS SB 1081, SB 1296, SB 951,

SCS SB 987, SB 1302, SB 1055

LOCAL GOVERNMENT

Thursday, April 22, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 1391, SB 1329, SCS SB 758, SCR 23, SB 1114

SMALL BUSINESS

Wednesday, April 21, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Committee hearing will begin fifteen minutes after noon adjournment.

Public hearings to be held on: HB 1707, HB 1678

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 21, 2004, Hearing Room 5 upon evening adjournment.

Possible Executive session.

Public hearings to be held on: HCR 35, SCS SB 1172, SCS SB 1220

HOUSE CALENDAR

FIFTY-THIRD DAY, MONDAY, APRIL 19, 2004

HOUSE BILLS FOR SECOND READING

HB 1739 and HB 1740

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HCS HB 1099 - Reinhart (34)
- 7 HB 1424 - Stefanick (93)
- 8 HB 773 - Icet (84)
- 9 HB 1302 - Lager (4)
- 10 HCS HB 1085 - Townley (112)
- 11 HB 1337 - Nieves (98)
- 12 HB 1109 - Crawford (117)
- 13 HB 1160 - Parker (12)
- 14 HCS HB 1243, 1094 & 931 - Mayer (159)
- 15 HB 844 - Mayer (159)
- 16 HCS HB 1286 & 1175 - Guest (5)
- 17 HCS HB 1267 - Cooper (120)
- 18 HCS HB 1285 - Engler (106)
- 19 HCS HB 1433 - Wood (62)
- 20 HCS HB 1093 - Deeken (114)

- 21 HB 1408 - Mayer (159)
- 22 HCS HB 1509 - Portwood (92)
- 23 HB 1599 - Ervin (35)
- 24 HCS HB 1671 - Hanaway (87)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1409, (Budget 4-15-04) - Dempsey (18)
- 2 HS HCS HB 1477 & 1563, (Budget 4-15-04) - Schaaf (28)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118 - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/04)

SCS SB 878 - Rector (124)

(4/19/04)

SCS SB 1331 - Bivins (97)

SENATE BILLS FOR THIRD READING

- 1 HCS SB 1080 - Wallace (143)
- 2 HCS SCS SB 754 - Luetkemeyer (115)
- 3 HCS SS SCS SB 1099 - Dempsey (18)
- 4 HCS SS SCS SBs 740, 886, 1178 - Myers (160)
- 5 SB 932 - Wilson (130)
- 6 HCS SCS SBs 1020, 889 & 869 - Goodman (132)
- 7 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 8 SCS SB 1100 - Byrd (94)
- 9 SB 1123, E.C. (Budget 4-15-04) - Portwood (92)
- 10 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)

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11 HCS SCS SB 1160 - Johnson (47)

BILLS IN CONFERENCE

1 CCR CCS HS HCS SS SCS SB 730, as amended - Portwood (92)

2 CCR#2 HCS SB 739, as amended - Myers (160)

3 CCR SS#2 SS SCS HS HCS HB 1304, as amended - Byrd (94)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-THIRD DAY, MONDAY, APRIL 19, 2004

The House met pursuant to adjournment.

Representative Schlottach in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we are instructed this afternoon by Your Word, which says, "A man's pride will bring him low, but the humble in spirit will retain honor." Therefore, in response to Your Word, we humble ourselves under Your mighty hand, that at the proper time You may exalt us. We cast the whole of today's cares, worries, and anxieties upon You; forever thankful that You care for us.

We count on Your gifts of love, grace and mercy, and a sense of significance in life to draw us towards fulfillment of purpose. May we make each moment count. Help us to leap the hurdles of today's race that we may finish our course.

To You be the glory, both now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-second day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1783	-	Representative Cunningham (86)
House Resolution No. 1784	-	Representative Moore
House Resolution No. 1785	-	Representative Black
House Resolution No. 1786	-	Representative Muckler
House Resolution No. 1787	-	Representative Townley
House Resolution No. 1788	-	Representatives Holand and Crawford
House Resolution No. 1789	-	Representative Munzlinger
House Resolution No. 1790		
through		
House Resolution No. 1794	-	Representative Crowell
House Resolution No. 1795		
through		
House Resolution No. 1797	-	Representative Deeken
House Resolution No. 1798	-	Representative King
House Resolution No. 1799	-	Representative Myers, et al

House Resolution No. 1800 - Representative Mayer
House Resolution No. 1801 - Representative Sager
House Resolution No. 1802 - Representative Lipke
House Resolution No. 1803 - Representative Dethrow
House Resolution No. 1804
and
House Resolution No. 1805 - Representative Haywood
House Resolution No. 1806 - Representative May
House Resolution No. 1807
through
House Resolution No. 1820 - Representative Sander

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1741, introduced by Representatives Donnelly and Fares, relating to the centralized emergency dispatching system.

HB 1742, introduced by Representative Fraser, relating to the official state slogan.

SECOND READING OF HOUSE BILLS

HB 1739 and **HB 1740** were read the second time.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 730, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 730**.

BILLS IN CONFERENCE

CCR HS HCS SS SCS SB 730, as amended, relating to the Homestead Preservation Act, was taken up by Representative Lembke.

On motion of Representative Lembke, **CCR HS HCS SS SCS SB 730, as amended**, was adopted by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122

Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
Le Vota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Kuessner Whorton

PRESENT: 001

Myers

ABSENT WITH LEAVE: 006

Avery	Bland	Carnahan	Hubbard	Reinhart
Ward				

On motion of Representative Lembke, **CCS HS HCS SS SCS SB 730** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90

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Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Nieves	Page	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Kuessner Whorton

PRESENT: 002

Brooks Myers

ABSENT WITH LEAVE: 006

Avery	Bland	Carnahan	Portwood	Reinhart
Ward				

Representative Schlottach declared the bill passed.

CCR SS#2 SS SCS HS HCS HB 1304, as amended, relating to tort reform, was taken up by Representative Byrd.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Richard

Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 065

Abel	Barnitz	Bishop	Boykins	Bringer
Brooks	Burnett	Campbell	Corcoran	Curls
Darrough	Daus	Davis 122	Dougherty	Fraser
Graham	Green	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bland	Bough	Carnahan	Donnelly
El-Amin	George	Hampton	McKenna	Reinhart
Ward				

Speaker Hanaway assumed the Chair.

On motion of Representative Byrd, **CCR SS#2 SS SCS HS HCS HB 1304, as amended**, was adopted by the following vote:

AYES: 092

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bringer	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Harris 110
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lawson	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Selby	Self	Shoemaker	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland

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Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 059

Abel	Bishop	Boykins	Brooks	Burnett
Campbell	Corcoran	Curls	Darrough	Daus
Davis 122	Dougherty	Fraser	George	Graham
Green	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	LeVota
Liese	Lowe	McKenna	Meadows	Muckler
Parker	Ransdall	Sager	Salva	Schneider
Schoemehl	Shoemyer	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 003

Barnitz	Seigfreid	Whorton
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ABSENT WITH LEAVE: 009

Avery	Bland	Bough	Carnahan	Donnelly
El-Amin	Hampton	Reinhart	Ward	

On motion of Representative Byrd, **CCS SS#2 SS SCS HS HCS HB 1304** was read the third time and passed by the following vote:

AYES: 093

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Harris 110	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lawson	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Schlottach
Seigfreid	Selby	Self	Shoemaker	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 061

Abel	Bishop	Boykins	Brooks	Burnett
Campbell	Corcoran	Curls	Darrough	Daus
Davis 122	Dougherty	El-Amin	Fraser	George

Graham	Green	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
LeVota	Liese	Lowe	McKenna	Meadows
Muckler	Parker	Ransdall	Sager	Salva
Schneider	Schoemehl	Shoemyer	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bland	Bough	Carnahan	Donnelly
Hampton	Reinhart	Schaaf	Ward	

Speaker Hanaway declared the bill passed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SCS SBs 1020, 889 & 869 - Budget (Fiscal Note)

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HS HB 1409** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 807**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to civil actions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1171**, entitled:

An act to repeal section 21.800, RSMo, and to enact in lieu thereof twelve new sections relating to homeland security, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1183**, entitled:

An act to repeal sections 64.825 and 89.410, RSMo, and to enact in lieu thereof two new sections relating to regulations governing the subdivision of land.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1394**, entitled:

An act to repeal sections 32.087, 143.241, 143.782, 144.083, and 144.157, RSMo, and to enact in lieu thereof five new sections relating to tax collection.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE
April 16, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
SECOND REGULAR SESSION
92ND GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1014** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2004.

On April 16, 2004, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1014**.

Respectfully submitted,
/s/ Bob Holden
Governor

The following member's presence was noted: Ward.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, April 20, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative John Burnett, District 40, hereby state and affirm that my vote as recorded on Page 1113 of the House Journal for Thursday, April 15, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of April 2004.

/s/ John Burnett
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tom Dempsey, District 18, hereby state and affirm that my vote as recorded on Page 1113 of the House Journal for Thursday, April 15, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of April 2004.

/s/ Tom Dempsey
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Chuck Graham, District 24, hereby state and affirm that my vote as recorded on Page 1110 of the House Journal for Thursday, April 15, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of April 2004.

/s/ Chuck Graham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Fred Kratky, District 65, hereby state and affirm that my vote as recorded on Page 1110 of the House Journal for Thursday, April 15, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of April 2004.

/s/ Fred Kratky
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Vicki Schneider, District 17, hereby state and affirm that my vote as recorded on Page 1112 of the House Journal for Thursday, April 15, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of April 2004.

/s/ Vicki Schneider
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Chris Shoemaker, District 8, hereby state and affirm that my vote as recorded on Page 1112 of the House Journal for Thursday, April 15, 2004 showing that I voted absent with leave was incorrectly recorded.

Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of April 2004.

/s/ Chris Shoemaker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 22, 2004, 8:30 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HR 1402

AGRICULTURE

Tuesday, April 20, 2004, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HCR 30, HB 1624

BUDGET

Tuesday, April 20, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Committee will hear other bills assigned or referred for fiscal review. AMENDED

Public hearings to be held on: HB 1021, SB 1123

BUDGET

Wednesday, April 21, 2004, 8:00 a.m. Hearing Room 3.

Tax credit presentations and review pursuant to 33.282, RSMo.

Fiscal Review. Possible Executive session.

BUDGET

Wednesday, April 21, 2004, 8:00 p.m. Hearing Room 3.

Tax credit presentations and review pursuant to 33.282, RSMo.

Fiscal Review. Possible Executive session

CHILDREN AND FAMILIES

Tuesday, April 20, 2004, Hearing Room 1 upon evening adjournment.

Public hearing to be held on: HB 1551

Executive session may be held on: HB 1263, SJR 29, HB 799, HB 1339

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, April 20, 2004, Hearing Room 3 upon morning adjournment.

Executive session.

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 21, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow

Public hearings to be held on: HCR 25, HCR 26

CORRECTIONS AND STATE INSTITUTIONS

Tuesday, April 20, 2004, Hearing Room 7 upon evening adjournment.

Public hearings to be held on: SCS SB 1044, SB 1322

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 20, 2004, Hearing Room 3 upon afternoon adjournment.

Public hearings to be held on: HB 1470, SS SCS SCR 36, SCS SB 1265, SCS SB 1225

Executive session will be held on: SCS SB 788, SS SCS SB 715

ELECTIONS

Tuesday, April 20, 2004, Hearing Room 7 upon evening adjournment.

Executive session will precede the hearing.

Public hearings to be held on: HB 1549, HB 1574, HB 1685

Executive session will be held on: SCS SB 1197

FINANCIAL SERVICES

Tuesday, April 20, 2004, 12:00 p.m. Hearing Room 6.

Executive session may occur.

Public hearings to be held on: SCS SB 974, SCS SB 1078, SB 1086, SCS SB 1188, SCS SB 1215, SCS SB 1235, SB 1299, SB 1320

LOCAL GOVERNMENT

Tuesday, April 20, 2004, House Chamber side gallery upon morning adjournment.

Executive session will be held on: SS SCS SB 1081, SB 1296, SB 951, SCS SB 987, SB 1302, SB 1055

LOCAL GOVERNMENT

Thursday, April 22, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 1391, SB 1329, SCS SB 758, SCR 23, SB 1114

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 20, 2004, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1630, HB 1044, SCS SB 1181, SB 842

Executive session may be held on: SCS SBs 1027 & 896, SS SCS SB 1122, SCS SB 1218, SB 1274

SMALL BUSINESS

Wednesday, April 21, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Committee hearing will begin fifteen minutes after noon adjournment.

Public hearings to be held on: HB 1707, HB 1678

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 21, 2004, Hearing Room 5 upon evening adjournment.

Possible Executive session.

Public hearings to be held on: HCR 35, SCS SB 1172, SCS SB 1220

TAX POLICY

Tuesday, April 20, 2004, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1680, SB 1048, SB 1012, SCS SB 1336, SB 1395, SS SCS SB 960

TOURISM AND CULTURAL AFFAIRS

Tuesday, April 20, 2004, Hearing Room 5 upon morning adjournment.

Executive session will follow.

Reconsider votes taken on HCR 15.

Public hearings to be held on: HR 1126, HCR 32, HCR 36

HOUSE CALENDAR

FIFTY-FOURTH DAY, TUESDAY, APRIL 20, 2004

HOUSE BILLS FOR SECOND READING

HB 1741 through HB 1742

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)

2 HCS HB 1380 - Lager (4)

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- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HCS HB 1099 - Reinhart (34)
- 7 HB 1424 - Stefanick (93)
- 8 HB 773 - Icet (84)
- 9 HB 1302 - Lager (4)
- 10 HCS HB 1085 - Townley (112)
- 11 HB 1337 - Nieves (98)
- 12 HB 1109 - Crawford (117)
- 13 HB 1160 - Parker (12)
- 14 HCS HB 1243, 1094 & 931 - Mayer (159)
- 15 HB 844 - Mayer (159)
- 16 HCS HB 1286 & 1175 - Guest (5)
- 17 HCS HB 1267 - Cooper (120)
- 18 HCS HB 1285 - Engler (106)
- 19 HCS HB 1433 - Wood (62)
- 20 HCS HB 1093 - Deeken (114)
- 21 HB 1408 - Mayer (159)
- 22 HCS HB 1509 - Portwood (92)
- 23 HB 1599 - Ervin (35)
- 24 HCS HB 1671 - Hanaway (87)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1409 - Dempsey (18)
- 2 HS HCS HB 1477 & 1563, (Budget 4-15-04) - Schaaf (28)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118 - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR SECOND READING

- 1 SB 807
- 2 SCS SB 1171

- 3 SS SCS SB 1183
- 4 SB 1394

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/04)

SCS SB 878 - Rector (124)

(4/19/04)

SCS SB 1331 - Bivins (97)

SENATE BILLS FOR THIRD READING

- 1 HCS SB 1080 - Wallace (143)
- 2 HCS SCS SB 754 - Luetkemeyer (115)
- 3 HCS SS SCS SB 1099 - Dempsey (18)
- 4 HCS SS SCS SBs 740, 886 & 1178 - Myers (160)
- 5 SB 932 - Wilson (130)
- 6 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 7 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 8 SCS SB 1100 - Byrd (94)
- 9 SB 1123, (Budget 4-15-04), E.C. - Portwood (92)
- 10 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 11 HCS SCS SB 1160 - Johnson (47)

BILL IN CONFERENCE

CCR#2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-FOURTH DAY, TUESDAY, APRIL 20, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

"To You our praise is due, O God.
You care for the earth, give it water.....
You drench its furrows,
You level it, soften it with showers,
You bless its growth." (*Psalms 65:1, 10 & 11*)

Lord our God, as You bless the land with gentle showers this morning, bless us with Your grace that we may honor You with the integrity of our work today.

We give thanks that we are able to work in a safe environment. With Your mantle of protection, preserve from harm those who work amid great danger, in war zones or other places where their life is on the line. We know the names of many; some are our loved ones.

We reach agreements and decisions by discussion, debate and voting. O God, wherever there is warfare, raise up leaders who are able to reach agreements through negotiation and without violence and killing.

We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Shelby Hobbs, Laura Hitchens, Adam Hitchens, Nathan Kuhl, Ryan Kuhl, Tim Dale, Nancy Mueller, Kara Reuther, Will Bruin, Jesse Taylor, Josh Taylor, Jacob Taylor, Maija Suzanne Steinberg, Ann Elizabeth Rothove, Elliott Danahy, Dillon Hutcherson, Lanie Hyatt, Chelsea Shepard, Andy Scheppers and Anthony Verslues.

The Journal of the fifty-third day was approved as corrected.

SPECIAL RECOGNITION

Herb Webster was introduced by Representative Ervin and recognized as an Outstanding Missourian.

Emmett Frisbee was introduced by Representative May and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1821 - Representatives LeVota and Davis (122)
House Resolution No. 1822 - Representative Riback Wilson (25), et al
House Resolution No. 1823 - Representative Behnen
House Resolution No. 1824
through
House Resolution No. 1833 - Representative Avery
House Resolution No. 1834 - Representative Kelly
House Resolution No. 1835 - Representative Ransdall
House Resolution No. 1836 - Representative Viebrock
House Resolution No. 1837 - Representative Swinger
House Resolution No. 1838
and
House Resolution No. 1839 - Representative Black
House Resolution No. 1840
and
House Resolution No. 1841 - Representative Johnson (61)

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1743, introduced by Representative Byrd, relating to court procedures and court personnel.

SECOND READING OF HOUSE BILLS

HB 1741 and **HB 1742** were read the second time.

SECOND READING OF SENATE BILLS

SB 807, **SCS SB 1171**, **SS SCS SB 1183** and **SB 1394** were read the second time.

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1698 - Education

HB 1719 - Job Creation and Economic Development

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **SB 1123** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HB 844, relating to the Open Contracting Act, was taken up by Representative Mayer.

Representative Dusenberg assumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 073

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton

1144 *Journal of the House*

Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Jetton
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On motion of Representative Mayer, **HB 844** was ordered perfected and printed by the following vote:

AYES: 088

Angst	Bean	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Johnson 47
Kelly 144	King	Kingery	Lager	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Wallace
Walton	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 073

Abel	Baker	Barnitz	Bishop	Bland
Boykins	Bringer	Brooks	Burnett	Campbell
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	Dougherty	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	Lembke	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schneider	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Villa	Vogt
Wagner	Walker	Walsh	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Jetton
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On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Dusenberg.

HOUSE RESOLUTION

Representative Riback Wilson (25) offered House Resolution No. 1911.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1842	-	Representative Graham, et al
House Resolution No. 1843		
and		
House Resolution No. 1844	-	Representative Willoughby
House Resolution No. 1845		
through		
House Resolution No. 1863	-	Representative Viebrock
House Resolution No. 1864		
through		
House Resolution No. 1870	-	Representative Goodman
House Resolution No. 1871		
through		
House Resolution No. 1883	-	Representative Ervin
House Resolution No. 1884	-	Representative Shoemyer
House Resolution No. 1885		
through		
House Resolution No. 1887	-	Representative Viebrock
House Resolution No. 1888	-	Representative Riback Wilson (25)
House Resolution No. 1889	-	Representative Harris (110), et al
House Resolution No. 1890	-	Representative Harris (110)
House Resolution No. 1891	-	Representatives Bruns and Deeken
House Resolution No. 1892		
through		
House Resolution No. 1905	-	Representative Jetton
House Resolution No. 1906	-	Representative Yaeger
House Resolution No. 1907	-	Representative McKenna
House Resolution No. 1908	-	Representative Bruns, et al
House Resolution No. 1909	-	Representative Pearce
House Resolution No. 1910	-	Representative Harris (23), et al
House Resolution No. 1912	-	Representative Riback Wilson (25)

HOUSE CONCURRENT RESOLUTION

Representatives Shoemaker and Carnahan offered House Concurrent Resolution No. 38.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1744, introduced by Representatives Walton and Whorton, relating to the use of paper ballots for all elections.

HB 1745, introduced by Representatives Schoemehl, Johnson (90), Meadows, Salva, Thompson, Harris (110), Burnett, Donnelly, Walsh, Darrough, Walker, Davis (122), Swinger, Wilson (42), Zweifel, Henke, Barnitz, Sager, Kuessner, Jolly, Muckler, LeVota, Liese, Whorton and Corcoran, relating to forms of personal identification of voters.

HB 1746, introduced by Representative Reinhart, relating to the designation of a memorial highway.

HB 1747, introduced by Representatives Townley and Schlottach, relating to transient guest taxes.

HB 1748, introduced by Representative Ward, relating to evaluation of juveniles taken into state custody.

THIRD READING OF SENATE BILL

SB 1123, relating to Medicaid reimbursement, was taken up by Representative Portwood.

Speaker Hanaway resumed the Chair.

Representative Meadows offered **House Amendment No. 1**.

Representative Wright raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Spreng offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 1123, Page 2, Section 208.225, Line 34, by inserting after all of said line the following:

"3. Seventy-five percent of any additional moneys received through the Medicaid per diem reimbursement by nursing homes under this section shall be used solely for salary increases for direct care nursing, housekeeping, and maintenance employees."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Spreng moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schneider	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

NOES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Jetton	Johnson 90
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Representative Graham offered **House Amendment No. 3**.

Representative Wright raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Willoughby offered **House Amendment No. 4**.

Representative Wright raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Portwood, **SB 1123** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

Kuessner	Meadows
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PRESENT: 001

Whorton

ABSENT WITH LEAVE: 003

Avery Hampton Jetton

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 23
Haywood	Hilgemann	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 010

Barnitz	Donnelly	Harris 110	Henke	Holand
Kuessner	Meadows	Skaggs	Whorton	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Campbell Jetton Lowe

PERFECTION OF HOUSE BILLS

HB 773, relating to the University of Missouri age requirements, was taken up by Representative Ice.

On motion of Representative Icet, **HB 773** was ordered perfected and printed.

HCS HBs 1286 & 1175, relating to marine dealers, was taken up by Representative Guest.

On motion of Representative Guest, **HCS HBs 1286 & 1175** was adopted.

On motion of Representative Guest, **HCS HBs 1286 & 1175** was ordered perfected and printed.

HCS HB 1285, relating to car rental insurance, was taken up by Representative Engler.

Representative Engler offered **HS HCS HB 1285**.

Representative Engler offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1285, Section A, Chapter 226.092, RSMo, to read as follows:

"226.092. The state highways and transportation commission is authorized, when considered by it to be in the public interest, to provide [as part compensation to the employee involved,] liability insurance covering the operation of [state-owned vehicles involved in the performance of operations of the] **all motor vehicles and equipment, including airplanes and boats, owned, leased, rented or operated pursuant to commission authorization and used in the performance of official commission or department business.** The commission is authorized to provide such insurance coverage for [its employees] **all authorized operators, as determined by the commission,** and the commission's liability by a plan of self-insurance **operated in accordance with commercial insurance industry standards for fleet vehicle coverage** or by a plan partially self-insured and partially insured by a contract of insurance **with an insurance company or by a plan fully insured by a contract of insurance** with an insurance company as the commission deems to be in the public interest. If the commission provides for a plan of self-insurance or partial self-insurance, it shall annually determine the amount of contribution to the plan required to pay all accrued and anticipated claims and the cost of administering the plan and shall include such amount in its budget request for contribution to the [highways and transportation commission automobile liability insurance] **commission's self-insurance** plan. The commission may contract for the services of such actuaries, consultants, and claims administrators as it deems necessary for the effective administration of a [self-insured automobile liability] **self-insurance** plan and is authorized to contract for excess insurance coverage with an insurance company authorized to write such coverage in this state. The immunity in tort actions of the [state and the state highways and transportation] commission shall not be in any way affected by this section."

On motion of Representative Engler, **House Amendment No. 1** was adopted.

Representative Donnelly offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1285, Page 8, Section 407.735.4, Line 18, by deleting the word "**deed**" and inserting in lieu thereof the word "**deemed**".

On motion of Representative Donnelly, **House Amendment No. 2** was adopted.

On motion of Representative Engler, **HS HCS HB 1285, as amended**, was adopted.

On motion of Representative Engler, **HS HCS HB 1285, as amended**, was ordered perfected and printed.

HCS HB 1509, relating to chiropractic care, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HB 1509** was adopted.

On motion of Representative Portwood, **HCS HB 1509** was ordered perfected and printed.

HCS HB 1099, relating to a sales/use tax exemption, was taken up by Representative Reinhart.

Representative Deeken assumed the Chair.

On motion of Representative Reinhart, **HCS HB 1099** was adopted.

On motion of Representative Reinhart, **HCS HB 1099** was ordered perfected and printed.

HB 1160, relating to health insurance, was taken up by Representative Parker.

On motion of Representative Parker, **HB 1160** was ordered perfected and printed.

HCS HB 1433, relating to watershed improvement districts, was taken up by Representative Wood.

Representative Wood offered **HS HCS HB 1433**.

Representative Behnen assumed the Chair.

Representative Myers offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Myers offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1433, Page 10, Section 249.1152, Line 24, by deleting the word “twenty” and inserting the word “**thirty-five**”.

On motion of Representative Myers, **House Amendment No. 2** was adopted.

Representative Seigfreid offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1433, Page 19, Section 249.115, Line 3, by adding after said line the following:

"278.258. 1. After a watershed subdistrict has been organized and the organization tax pursuant to section 278.250 has been levied, any county in the subdistrict which has not adopted the annual tax pursuant to section 278.250 may detach from the subdistrict upon approval of such detachment of a majority of the qualified voters [residing] **voting on the proposed detachment** within such subdistrict in such county; however, before such detachment the watershed district trustees shall make arrangements for the county to pay any outstanding indebtedness for services or works of improvement rendered by the subdistrict in such county.

2. Following the entry in the official minutes of the trustees of the watershed district of the detachment of the county, the watershed district trustees shall certify this fact on a separate form, authentic copies of which shall be recorded with the recorder of deeds in each county in which any portion of the watershed subdistrict lies and with the state soil and water districts commission."

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

Representative Sager offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1433, Page 14, Section 10, Line 24, by adding after district "**where improvements have been made**".

On motion of Representative Sager, **House Amendment No. 4** was adopted.

Representative Witte offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1433, Page 24, Section 701.033, Line 10, by deleting the word "and" and inserting in lieu thereof the word "**, after**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 5** was adopted.

On motion of Representative Wood, **HS HCS HB 1433, as amended**, was adopted.

On motion of Representative Wood, **HS HCS HB 1433, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1477** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 1181** and **HB 1719**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 895**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1001**.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, April 21, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Rodney R. Hubbard, District 58, hereby state and affirm that my votes as recorded on Pages 1130 and 1132 of the House Journal for Monday, April 19, 2004 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted absent with leave. I further state and affirm that I was not present in the House Chamber at the time these votes were taken, I did not in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 20th day of April 2004.

/s/ Rodney R. Hubbard
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 20th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Charles Portwood, District 92, hereby state and affirm that my vote as recorded on Page 1129 of the House Journal for Monday, April 19, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 20th day of April 2004.

/s/ Charles Portwood
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 20th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rob Schaaf, District 28, hereby state and affirm that my vote as recorded on Page 1132 of the House Journal for Monday, April 19, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 20th day of April 2004.

/s/ Rob Schaaf
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 20th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 22, 2004, 8:30 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HR 1402

BUDGET

Wednesday, April 21, 2004, 8:00 a.m. Hearing Room 3.

Tax credit presentations and review pursuant to 33.282, RSMo.

Fiscal Review. Possible Executive session.

BUDGET

Wednesday, April 21, 2004, 8:00 p.m. Hearing Room 3.

Tax credit presentations and review pursuant to 33.282, RSMo.

Fiscal Review. Possible Executive session.

BUDGET

Thursday, April 22, 2004, 8:00 a.m. Hearing Room 3.
Tax credit presentations and review pursuant to 33.282, RSMo.
Fiscal Review. Possible Executive session.
Other bills that may be assigned or referred for fiscal review.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Thursday, April 22, 2004, House Side Gallery upon morning adjournment.
Executive session only.

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 21, 2004, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HCR 25, HCR 26

EDUCATION

Wednesday, April 21, 2004, Hearing Room 2 upon morning recess.
Possible Executive session.
Public hearings to be held on: SB 768, HB 1710

HEALTH CARE POLICY

Wednesday, April 21, 2004, Hearing Room 6 upon evening adjournment.
Public hearing to be held on: SS SCS SB 1279
Executive session may be held on: SS SCS SB 1279

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 21, 2004, 12:30 p.m. Hearing Room 6.
Please note time change. Executive session to be held.

JUDICIARY

Wednesday, April 21, 2004, Hearing Room 1 upon morning adjournment.
Executive session may follow on other bills.
Public hearings to be held on: HB 1342, HB 1577, HB 1644, HB 1682,
HB 1728, SCS SB 1240, SCS SB 1247
Executive session will be held on: HB 1588, HB 1205, HB 1143, SB 1007, SB 1162, SB 1211,
SB 1111, SB 884, SB 883, SB 1064, SCS SB 921, SCS SB 827, SCS SB 983

LOCAL GOVERNMENT

Thursday, April 22, 2004, 8:15 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: SB 1391, SB 1329, SCS SB 758, SCR 23, SB 1114

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 22, 2004, 9:00 a.m. Hearing Room 5.

Executive session may be held on: HB 1044, SB 842, SCS SB 962, SCS SBs 1027 & 896, SCS SB 1181, SCS SB 1218, SB 1274

RETIREMENT

Thursday, April 22, 2004, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 1130, SB 1242

SMALL BUSINESS

Wednesday, April 21, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Committee hearing will begin fifteen minutes after noon adjournment.

Public hearings to be held on: HB 1707, HB 1678

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 21, 2004, Hearing Room 5 upon evening adjournment.

Possible Executive session.

Public hearings to be held on: HCR 35, SCS SB 1172, SCS SB 1220

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 21, 2004, 12:00 p.m. Hearing Room 7.

Public hearing will be held at approximately 12:30 p.m.

Public hearings to be held on: HB 1663, HB 1283, HB 1715, HB 1688, HB 1690, SCS SB 710, SCS SB 1262

Executive session will be held on: HB 1401, SCS SB 757, SCS SB 771, SB 772, SB 824, SCS SB 845, SB 894, SB 899, SB 900, SCS SB 956, SCS SB 992, SB 1259, SB 870

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 21, 2004, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1662

HOUSE CALENDAR

FIFTY-FIFTH DAY, WEDNESDAY, APRIL 21, 2004

HOUSE BILLS FOR SECOND READING

HB 1743 through HB 1748

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HB 1424 - Stefanick (93)
- 7 HB 1302 - Lager (4)
- 8 HCS HB 1085 - Townley (112)
- 9 HB 1337 - Nieves (98)
- 10 HB 1109 - Crawford (117)
- 11 HCS HB 1243, 1094 & 931 - Mayer (159)
- 12 HCS HB 1267 - Cooper (120)
- 13 HCS HB 1093 - Deeken (114)
- 14 HB 1408 - Mayer (159)
- 15 HB 1599 - Ervin (35)
- 16 HCS HB 1671 - Hanaway (87)
- 17 HCS HB 1181 & 1719 - Selby (105)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1409 - Dempsey (18)
- 2 HS HCS HB 1477 & 1563 - Schaaf (28)
- 3 HB 844 - Mayer (159)
- 4 HB 773 - Icet (84)
- 5 HCS HB 1286 & 1175 - Guest (5)
- 6 HS HCS HB 1285 - Engler (106)
- 7 HCS HB 1509 - Portwood (92)
- 8 HCS HB 1099 - Reinhart (34)
- 9 HB 1160 - Parker (12)
- 10 HS HCS HB 1433 - Wood (62)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 1118 - Schlottach (111)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/2004)

SCS SB 878 - Rector (124)

(4/19/2004)

SCS SB 1331 - Bivins (97)

SENATE BILLS FOR THIRD READING

- 1 HCS SB 1080 - Wallace (143)
- 2 HCS SCS SB 754 - Luetkemeyer (115)
- 3 HCS SS SCS SB 1099 - Dempsey (18)
- 4 HCS SS SCS SBs 740, 886 & 1178 - Myers (160)
- 5 SB 932 - Wilson (130)
- 6 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 7 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 8 SCS SB 1100 - Byrd (94)
- 9 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 10 HCS SCS SB 1160 - Johnson (47)

BILL IN CONFERENCE

CCR#2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-FIFTH DAY, WEDNESDAY, APRIL 21, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is written, "God keeps every promise He makes. He is like a shield for all who seek His protection." Be a shield for us today as we seek Your protection. Protect us from falsehood and pride. Protect us from extremism as well as apathy. Protect us from self-doubt as well as total self-reliance.

May we look to You in simple dependence upon Your grace: The grace to withstand criticism and the grace to withhold it.

May our hearts remain open to You as our emotions, intellect and will are harmonized to accomplish today's tasks.

And now unto You be glory both now and forever...

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Olga Constantinova, Sona Gabrielyan, Taissiya Petrucheny, Stephen Wedekind, Carly Kurka, Nathan Huckaby, Sarah Agee and Madeleine Sutherland.

The Journal of the fifty-fourth day was approved as corrected.

SPECIAL RECOGNITION

Dr. Robert Spence was introduced by Representative Dixon and recognized as an Outstanding Missourian.

Jessica Bruce was introduced by Representative Bruns and recognized as an Outstanding Missouri Student.

Staff of the Missouri State American Red Cross was introduced by Representative Viebrock and recognized for their achievements.

HOUSE RESOLUTION

Representative Icet, et al, offered House Resolution No. 1941.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1913 - Representative Guest
House Resolution No. 1914
through
House Resolution No. 1926 - Representatives Black and Myers
House Resolution No. 1927
through
House Resolution No. 1940 - Representative Black
House Resolution No. 1942 - Representative Quinn
House Resolution No. 1943 - Representative Swinger
House Resolution No. 1944 - Representative Abel

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1749, introduced by Representative Harris (23), relating to qualified research tax credits for corporation.

SECOND READING OF HOUSE BILLS

HB 1743 through **1748** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1085, relating to eminent domain, was taken up by Representative Townley.

Representative Townley offered **HS HCS HB 1085**.

Representative Townley offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 8, Section 523.010, Line 21 of said page, by inserting after the word "**casement**" on said line the following:

", or subsequent lessee or transferee,"; and

Further amend said bill, Page 8, Section 523.010, Line 25 of said page, by inserting after the word "**improvements**" on said line the following:

", or those of a subsequent lessee or transferee,"; and

Further amend said bill, Page 9, Section 523.010, Line 8 of said page, by inserting after the word "**easement**" on said line the following:

"or subsequent lessee or transferee"; and

Further amend said bill, Page 9, Section 523.010, Line 20 of said page, by inserting after the word "**entity**" on said line the following:

"or subsequent lessee or transferee"; and

Further amend said bill, Page 9, Section 523.010, Lines 23 and 24 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"acquired in the taking, the then record owners of the largest parcel of property contiguous to the property taken by condemnation"; and

Further amend said bill, Page 10, Section 523.010, Line 5, by inserting after the word "**entity**" on said line the following:

"or subsequent transferee"; and

Further amend said bill, Page 10, Section 523.010, Lines 6 and 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"negotiate in good faith any repurchase of the easement rights or fee interest in real estate that were taken, with recourse as"; and

Further amend said bill, Page 10, Section 523.010, Line 12, by inserting after the word "**property**" on said line the following:

"or subsequent lessee or transferee"; and

Further amend said bill, Page 10, Section 523.010, Line 13, by inserting after the word "**to**" the word "**public**"; and

Further amend said bill, Page 11, Section 523.010, Line 2 of said page, by inserting after the word "**entity**" on said line the following:

"or subsequent transferee"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lembke assumed the Chair.

On motion of Representative Townley, **House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 11, Section 523.040, Line 21 of said page, by deleting the words "**an independent**" and inserting in lieu thereof the following:

"a state licensed or state certified real estate"; and

Further amend said bill, Page 12, Section 523.040, Line 1 of said page, by deleting the words "**an independent**" and inserting in lieu thereof the following:

"a state licensed or state certified real estate"; and

Further amend said bill, Page 12, Section 523.040, Line 6 of said page, by deleting the words "**an independent**" and inserting in lieu thereof the following:

"a state licensed or state certified real estate"; and

Further amend said bill, Page 12, Section 523.040, Line 9 of said page, by inserting after the word "**situated**," the following:

"including the state licensed or state certified appraisers, if there are available appraisers who are residents of the county, but if there are no available resident state licensed or state certified appraisers, then a state licensed or state certified real estate appraiser residing in an adjacent county,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 2** was adopted.

Representative Pratt offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 10, Section 523.010, Line 21, by inserting after the word "county", the following:

"or any city within a county".

Representative Wright offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 10, Section 523.010, Line 21, by inserting the following:

"Southwest Missouri State shall have the authority to declare eminent domain upon any property owned by the University of Missouri."

Representative Wright moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Pratt moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Dixon offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 8, Section 523.010, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

"located, and by written notice to the record owners of the real estate from whom an interest is to be"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Rector offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 8, Section 523.010, Lines 9 through 11, by deleting said lines and inserting in lieu thereof the following:

"located, and by written notice to the record owners of the real estate from whom an interest is to be acquired, as well as the record owners of any property located within 500 feet of said real estate, the exact description of real estate to be taken in fee"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rector, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Bivins offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 10, Section 523.010, Lines 24-25, by deleting all of said lines; and

Further amend said bill, Section 523.010, Page 11, Lines 1-9, by deleting all of said lines and inserting in lieu thereof the following:

"8. Any issue as to whether a use of the property is within the scope of rights acquired in the taking, or whether a negotiation by the taking entity or lessee or transfer of any repurchase of easement rights or fee interest in real estate pursuant to the repurchase provisions of subsection 7 was in good faith may be determined in an action brought in the circuit court of the county in which the property is located and in the form of a declaratory judgement as provided for in chapter 527, RSMo. In such action, if the use of the property is determined to exceed the scope of the rights acquired in the original taking, the court may find that the use is in excess of the rights acquired in the original taking, constitutes an additional taking and award additional just compensation thereof. The court shall use a reasonable person standard in making such determination. Court costs may be awarded at the discretion of the court."; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Bivins, **House Amendment No. 5** was adopted.

Representative Whorton offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1085, Page 10, Section 523.010, Line 24, by inserting after the word "county" the following:

", county of the third classification without a township form of government and with more than two thousand three hundred but less than two thousand four hundred inhabitants, county of the third classification with a township form of government and with more than six thousand eight hundred but less than six thousand nine hundred inhabitants, county of the third classification with a township form of government and with more than eight thousand eight hundred but less than eight thousand nine hundred inhabitants, county of the third classification with a township form of government and with more than eight thousand but less than eight thousand one hundred inhabitants, county of the third classification with a township form of government and with more than ten thousand four hundred but less than ten thousand five hundred inhabitants, county of the third classification with a township form of government and with more than three thousand seven hundred but less than three thousand eight hundred inhabitants, county of the third classification with a township form of government and with more than seven thousand two hundred but less than seven thousand three hundred inhabitants"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 1085, with House Amendment No. 6, and HS, as amended, pending, was laid over.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Lembke.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1945 - Representative Dougherty

House Resolution No. 1946
through

House Resolution No. 1973 - Representative Sander

House Resolution No. 1974
through

House Resolution No. 1987 - Representative Davis (19)

House Resolution No. 1988 - Representative Kelly (144)

House Resolution No. 1989 - Representative George

House Resolution No. 1990 - Representative Villa

House Resolution No. 1991
and
House Resolution No. 1992 - Representatives Baker and Rector
House Resolution No. 1993 - Representative Baker
House Resolution No. 1994 - Representative Lipke
House Resolution No. 1995 - Representative Graham
House Resolution No. 1996
through
House Resolution No. 1998 - Representative Schneider
House Resolution No. 1999 - Representative Moore
House Resolution No. 2000
through
House Resolution No. 2003 - Representative Hunter
House Resolution No. 2004 - Representative Ervin
House Resolution No. 2005 - Representative Meadows
House Resolution No. 2006
and
House Resolution No. 2007 - Representative Witte
House Resolution No. 2008 - Representative Seigfreid
House Resolution No. 2009
and
House Resolution No. 2010 - Representative Wilson (42)
House Resolution No. 2011
through
House Resolution No. 2016 - Representative Crowell
House Resolution No. 2017
through
House Resolution No. 2030 - Representative Davis (19)

PERFECTION OF HOUSE BILL

HCS HB 1093, relating to the rights of persons with service dogs, was taken up by Representative Deeken.

Representative Crowell suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin

Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Selby Skaggs

PRESENT: 003

Quinn Viebrock Wright

ABSENT WITH LEAVE: 004

Avery Bearden Jetton Johnson 47

Representative Fraser offered **House Amendment No. 1.**

Representative Goodman raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Lembke requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Kuessner offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1093, Page 1, Section 209.200, Line 12, by inserting Subsection E:

“Yellow Dog Democrat.”.

Representative Kuessner moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Yates offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1093, Page 2, Section 209.202, Line 13, after the word “**knowingly**”, delete “**intentionally, or recklessly**”, and insert in lieu thereof the following:

“**or intentionally**”.

On motion of Representative Yates, **House Amendment No. 3** was adopted.

On motion of Representative Deeken, **HCS HB 1093, as amended**, was adopted.

On motion of Representative Deeken, **HCS HB 1093, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HB 773, relating to the University of Missouri age requirements, was taken up by Representative Icet.

On motion of Representative Icet, **HB 773** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schaaf

Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemyer	Skaggs	Smith 14	Spreng
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Shoemaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Cunningham 145	Jetton	Johnson 61	Meadows
Myers	Salva	Smith 118	St. Onge	

Representative Lembke declared the bill passed.

HS HCS HB 1285, relating to car rental insurance, was taken up by Representative Engler.

On motion of Representative Engler, **HS HCS HB 1285** was read the third time and passed by the following vote:

AYES: 139

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Green	Guest	Hampton	Harris 110
Haywood	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Smith 14	Spreng
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walton	Wasson

Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 015

Bringer	Brooks	Burnett	Corcoran	Darrough
Graham	Harris 23	Henke	Johnson 90	Lawson
Meadows	Skaggs	Walker	Walsh	Ward

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 008

Avery	Boykins	Dixon	Jetton	Johnson 61
Salva	Smith 118	St. Onge		

Representative Lembke declared the bill passed.

HCS HB 1509, relating to chiropractic care, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HB 1509** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Roark
Ruestman	Rupp	Sager	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton

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Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Donnelly

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Dixon	Jetton	Johnson 61	Richard
Salva	Smith 118	St. Onge		

Representative Lembke declared the bill passed.

HB 1160, relating to health insurance, was taken up by Representative Parker.

On motion of Representative Parker, **HB 1160** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Deeken	Dempsey	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 001

Davis 19

ABSENT WITH LEAVE: 009

Avery
Richard

Dixon
Salva

Goodman
Smith 118

Jetton
St. Onge

Johnson 61

Representative Lembke declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1599, relating to a Joint Committee on Waste, Fraud and Abuse, was taken up by Representative Ervin.

Representative Ervin offered **HS HB 1599**.

Representative Selby offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1599, Section 7, Line 22, by

643.365 On or before January 1, 2005, the Commission shall suspend operation of any motor vehicle emissions inspection program.

Representative Goodman raised a point of order that **House Amendment No. 1** is not germane and goes beyond the underlying House Substitute.

Representative Lembke requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

HB 1599, with House Amendment No. 1, and HS, pending, was placed on the Informal Calendar.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HCS HB 1118, relating to commercial drivers' licenses, was taken up by Representative Schlottach.

Speaker Hanaway resumed the Chair.

On motion of Representative Schlottach, **HCS HB 1118** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 002

Brooks	Lawson
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ABSENT WITH LEAVE: 007

Avery	Dixon	Holand	Jetton	Johnson 61
Pratt	Salva			

Speaker Hanaway declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HBs 1286 & 1175, relating to marine dealers, was taken up by Representative Guest.

On motion of Representative Guest, **HCS HBs 1286 & 1175** was read the third time and passed by the following vote:

AYES: 143

Abel	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Haywood	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 013

Angst	Bough	Cunningham 145	Dethrow	Green
Harris 23	Henke	Johnson 90	Lawson	Purgason
Sander	Wasson	Wood		

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Dixon	Holand	Jetton	Johnson 61
Pratt	Salva			

Speaker Hanaway declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 1080, relating to educational accountability standards, was taken up by Representative Wallace.

Representative Cunningham (86) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 1080, Page 5, Section 160.720, Line 56, by adding after all of said line the following:

“174.453. 1. The board of governors shall be appointed as follows:

(1) Five voting members shall be selected from the counties comprising the institution's historic statutory service region as described in section 174.010, except that no more than two members shall be appointed from any one county with a population of less than two hundred thousand inhabitants;

(2) Two voting members shall be selected from any of the counties in the state which are outside of the institution's historic service region; and

(3) One nonvoting member who is a student shall be selected in the same manner as prescribed in section 174.055.

2. The term of service of the governors shall be as follows:

(1) The voting members shall be appointed for terms of six years; and

(2) The nonvoting student member shall serve a two-year term.

3. Members of any board of governors selected pursuant to this section and in office on May 13, 1999, shall serve the remainder of their unexpired terms.

4. Notwithstanding the provisions of subsection 1 of this section, the board of governors of Missouri Southern State University-Joplin shall be appointed as follows:

(1) Five voting members shall be selected from any of the following counties: Barton, Jasper, Newton, McDonald, Dade, Lawrence, and Barry provided that no more than three of these five members shall be appointed from any one county;

(2) Two voting members shall be selected from any of the counties in the state which are outside of the counties articulated in subdivision (1) of this subsection;

(3) One nonvoting member who is a student shall be selected in the same manner as prescribed in section 174.055; and

(4) The provisions of subdivisions (1) and (2) of this subsection shall only apply to board members first appointed after August 28, 2004.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cunningham (86), **House Amendment No. 1** was adopted.

On motion of Representative Wallace, **HCS SB 1080, as amended**, was adopted.

On motion of Representative Wallace, **HCS SB 1080, as amended**, was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Johnson 90	Jolly

Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bruns	Dixon	Jetton	Johnson 61
Salva	Smith 118	Wasson		

Speaker Hanaway declared the bill passed.

HCS SS SCS SBs 740, 886 & 1178, relating to agriculture programs, was taken up by Representative Myers.

Representative Myers offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 740, 886 & 1178, Section 348.410, Page 5, Lines 1 through 14, by deleting said section and lines; and

Further amend said bill, Section 348.432, Page 10, Lines 56 and 57, by deleting said lines and inserting in lieu thereof the following:

“a tax credit certificate in the appropriate amount. [tax] **Tax** credits issued pursuant to this section [shall initially be claimed in the taxable”]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Myers, **House Amendment No. 1** was adopted.

Representative Purgason assumed the Chair.

Representative Shoemyer offered **House Amendment No. 2**.

Representative Stevenson raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

Representative Purgason requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Seigfreid offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 740, 886 & 1178, Page 11, Section 348.432, Line 88, by inserting after said line the following:

"Section A. Section 537.115, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.115, to read as follows:

537.115. 1. As used in this section, the following terms mean:

(1) "Canned food", any food commercially processed and prepared for human consumption;

(2) "Perishable food", any food which may spoil or otherwise become unfit for human consumption because of its nature, type or physical condition.

This term includes, but is not limited to, fresh and processed meats, poultry, seafood, dairy products, bakery products, eggs in the shell, fresh fruits and vegetables, and foods which have been packaged, refrigerated, or frozen.

2. All other provisions of law notwithstanding, a good faith donor of canned or perishable food, which complies with chapter 196, RSMo, at the time it was donated and which is fit for human consumption at the time it is donated, to a bona fide charitable or not-for-profit organization for free distribution, shall not be subject to criminal or civil liability arising from an injury or death due to the condition of such food unless such injury or death is a direct result of the negligence, recklessness or intentional misconduct of such donor.

3. All other provisions of law notwithstanding, a bona fide charitable or not-for-profit organization which in good faith receives and distributes food, which complies with chapter 196, RSMo, at the time it was donated and which is fit for human consumption at the time it is distributed, without charge, shall not be subject to criminal or civil liability arising from an injury or death due to the condition of such food unless such injury or death is a direct result of the negligence, recklessness, or intentional misconduct of such organization.

4. Notwithstanding any other provision of law to the contrary, a good faith donor or a charitable or not-for-profit organization, who in good faith receives or distributes frozen and packaged venison without charge, shall not be subject to criminal or civil liability arising from an injury or death due to the condition of such food, except as provided in this subsection. The venison must:

(1) Come from a whitetail deer harvested in accordance with the rules and regulations of the department of conservation;

(2) Be field dressed and handled in a sanitary manner and the carcass of which remains in sound condition;

(3) Be processed in a licensed facility that is subject to the United States Department of Agriculture's mandated inspections during domesticated animal operations **or is approved by the Missouri department of agriculture meat inspection program**. Except that, the provisions of this subsection shall not apply if the injury or death is a direct result of the negligence, recklessness or intentional misconduct of such donor or the deer was harvested during a season that the deer in Missouri were found to have diseases communicable to humans. Venison handled and processed in accordance with the provisions of this section and protected by all reasonable means from foreign or injurious contamination is exempt from the provisions of chapter 196, RSMo.

5. The provisions of this section shall govern all good faith donations of canned or perishable food which is not readily marketable due to appearance, freshness, grade, surplus or other conditions, but nothing in this section shall restrict the authority of any appropriate agency to regulate or ban the use of such food for human consumption."

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

On motion of Representative Myers, **HCS SS SCS SBs 740, 886 & 1178, as amended**, was adopted.

On motion of Representative Myers, **HCS SS SCS SBs 740, 886 & 1178, as amended**, was read the third time and passed by the following vote:

AYES: 155

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walton	Ward
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Abel	Avery	Bruns	Jetton	Johnson 61
Shoemaker	Walsh	Willoughby		

Representative Purgason declared the bill passed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1599, with House Amendment No. 1, and HS, pending, relating to a Joint Committee on Waste, Fraud and Abuse, was again taken up by Representative Ervin.

Representative Lembke offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Bill No. 1599, Page 3, Section 7, Line 21, by adding the following at the end of said line:

“8. The committee may study waste, fraud and abuse in the vehicle emissions program.”.

Speaker Hanaway resumed the Chair.

Representative Selby raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** goes beyond the scope of the bill and is not a true substitute amendment.

The Chair ruled the point of order not well taken.

HB 1599, with House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1, and HS, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1099 - Budget (Fiscal Note)

HS HCS HB 1433 - Budget (Fiscal Note)

COMMITTEE REPORT

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **HCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 21

Relating to the Poultry Industry Committee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the poultry industry is a vital, profitable, and important industry in this state; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic impacts while making every attempt to eliminate negative aspects of the industry; and

WHEREAS, the poultry industry produces waste products which have significantly impacted the environment of the state; and

WHEREAS, the Poultry Industry Committee was created in 2002 to study the economic and environmental impact of the poultry industry in this state, especially the impacts this industry has on sensitive environmental areas; and

WHEREAS, while the Poultry Industry Committee has officially completed its duties, there is still work to be accomplished:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate concurring therein, hereby reauthorize the "Poultry Industry Committee" to continue its review and evaluation of both the economic impact of the poultry industry, waste disposal issues, and environmental impacts of this industry, and as well as making recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such Committee shall be composed of twenty-seven members, one member to be a member of the Senate to be appointed by the President Pro Tem of the Senate, one member to be a member of the House of Representatives to be appointed by the Speaker of the House, two county commissioners or their designees, a representative from the Food and Agricultural Policy Research Institute (FAPRI), a representative of the Environmental Protection Agency (EPA), a representative of the Department of Natural Resources, a representative of the United States Department of Agriculture, a representative of the Natural Resources Conservation Services (NRCS), a representative of the university extension system, a representative of the poultry federation, a representative of the Missouri Farmer's Association, a representative of the Farm Bureau, a representative of the Department of Conservation, a representative of the University of Missouri Department of Agriculture, Food, and Natural Resources, a representative of the Southwest Missouri State University Department of Agriculture, a representative of the University of Missouri Commercial Agriculture Program, a member appointed by the Resource Conservation & Development Council, a representative of the Department of Economic Development, a representative of the Department of Agriculture, a representative of the Clean Water Commission, two active poultry farmers, two poultry industry contractors or processors, a person active in the processing/value-added portion of poultry waste, one person from Missouri Farm Credit Services. Each member of the Committee shall serve until December 31, 2005; and

BE IT FURTHER RESOLVED that the Committee may conduct its business by various means but shall meet no less than twice each year as a full Committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the Committee in carrying out its duties, including allowing access to closed records, provided that the Committee shall not disclose any identifying information contained in such records closed pursuant to statute or general order and any such information in the custody of the Committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation and the Office of Administration shall provide funding, administrative support, and staff for the effective operation of the Committee; and

BE IT FURTHER RESOLVED that the Committee shall continue to study problems and solutions, collect information and provide recommendations in a report to the General Assembly before December 31, 2005; and

BE IT FURTHER RESOLVED that the Poultry Industry Committee shall terminate December 31, 2005; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, April 22, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 1147 of the House Journal for Tuesday, April 20, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 21st day of April 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 21st day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 22, 2004, 8:30 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HR 1402

AGRICULTURE

Tuesday, April 27, 2004, 12:00 p.m. Hearing Room 1.

Presentations by Food and Agriculture Policy Research Institute - University of Missouri;
Farm Credit. Possible Executive session.

BUDGET

Thursday, April 22, 2004, 8:00 a.m. Hearing Room 3.

Tax credit presentations and review pursuant to 33.282, RSMo. Fiscal Review.

Possible Executive session. Other bills that may be assigned or referred for fiscal review.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Thursday, April 22, 2004, House Side Gallery upon morning adjournment.

Executive session only. CANCELLED

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 22, 2004, House Side Gallery upon morning adjournment.

Executive session will be held on: HB 1650, HB 1626

JOINT COMMITTEE ON CORRECTIONS

Monday, May 3, 2004, 12:00 p.m. Hearing Room 7.

Status of Chillicothe Correctional Center; Report from the Department of Corrections;
Report from Design & Construction on JCCC, Randy Allen; Committee tour schedule.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 29, 2004, 8:00 a.m. Hearing Room 7.

2nd Quarter Meeting

LOCAL GOVERNMENT

Thursday, April 22, 2004, 8:15 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 1391, SB 1329, SCS SB 758, SCR 23, SB 1114

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 22, 2004, 9:00 a.m. Hearing Room 5.

Executive session may be held on: HB 1044, SB 842, SCS SB 962,
SCS SBs 1027 & 896, SCS SB 1181, SCS SB 1218, SB 1274

RETIREMENT

Thursday, April 22, 2004, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 1130, SB 1242

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 22, 2004, North Gallery upon morning adjournment.

Executive session.

TAX POLICY

Thursday, April 22, 2004, House Side Gallery upon morning adjournment.

Executive session will be held on: SB 1012, SCS SB 1336, SS SCS SB 960

HOUSE CALENDAR

FIFTY-SIXTH DAY, THURSDAY, APRIL 22, 2004

HOUSE BILL FOR SECOND READING

HB 1749

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HB 1424 - Stefanick (93)
- 7 HB 1302 - Lager (4)
- 8 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 9 HB 1337 - Nieves (98)
- 10 HB 1109 - Crawford (117)
- 11 HCS HB 1243, 1094 & 931 - Mayer (159)
- 12 HCS HB 1267 - Cooper (120)
- 13 HB 1408 - Mayer (159)
- 14 HCS HB 1671 - Hanaway (87)
- 15 HCS HB 1181 & 1719 - Selby (105)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1599, HSA 1 for HA 1, HA 1 and HS, pending - Ervin (35)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 21, (4-21-04) - Ruestman (131)

HOUSE JOINT RESOLUTION FOR THIRD READING

HS HCS HJR 39, 38, 42 & 47 - Engler (106)

HOUSE BILLS FOR THIRD READING

- 1 HS HB 1409 - Dempsey (18)
- 2 HS HCS HB 1477 & 1563 - Schaaf (28)
- 3 HB 844 - Mayer (159)
- 4 HCS HB 1099, (Budget 4-21-04) - Reinhart (34)
- 5 HS HCS HB 1433, (Budget 4-21-04) - Wood (62)
- 6 HCS HB 1093 - Deeken (114)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/04)

SCS SB 878 - Rector (124)

(4/19/04)

SCS SB 1331 - Bivins (97)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SS SCS SB 1099 - Dempsey (18)
- 3 SB 932 - Wilson (130)
- 4 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 5 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 6 SCS SB 1100 - Hanaway (87)
- 7 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 8 HCS SCS SB 1160 - Johnson (47)

BILL IN CONFERENCE

CCR#2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-SIXTH DAY, THURSDAY, APRIL 22, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

"The Lord is the earth and its fullness; the world and those who dwell in it." (*Psalms 24:1*)

Holy Lord, our God, on Earth Day we remember Your plan that we live in harmony with the earth, with nature and with all people as our neighbors.

We wish to show our respect for You, the Creator, by our care for creation. May Your Holy Spirit guide us in our personal lives and in our professional lives to do our part in the protection and the care of the earth.

O Lord, that seems easier than living in harmony with all other people on earth, making them our neighbors. May we never lose hope! Rather, by Your grace, may we and all other leaders make decisions that bring us closer and closer to living with all other people as neighbors.

We pray to You who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bryan Page, Brittany Sanders, Eric Isringhaus, Elizabeth Dreyer, Daniel Pfeffer, Breana O'Brien, John Meyers, Nick Powell, Melissa Beutenmiller, Joseph Clark, Micah Marshall and Zane Coleman.

The Journal of the fifty-fifth day was approved as corrected.

SPECIAL RECOGNITION

The 2004 State Champion Adair County RII High School Girls Basketball Tigers were introduced by Representative Behnen and recognized as Outstanding Missourians.

The Van-Far Indians Basketball Team was introduced by Representative Witte and recognized for attaining the 2004 State Championship.

Gale and Karen Culler were introduced by Representatives Smith (118) and Miller and recognized as Outstanding Missourians.

Nick Moore was introduced by Representative Harris (110) and recognized as an Outstanding Missouri Student.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2031
and
House Resolution No. 2032 - Representative Wilson (119)
House Resolution No. 2033 - Representative St. Onge
House Resolution No. 2034
through
House Resolution No. 2036 - Representative Crowell
House Resolution No. 2037
and
House Resolution No. 2038 - Representative Lager
House Resolution No. 2039 - Representative Cooper (155)
House Resolution No. 2040 - Representative Cunningham (145)
House Resolution No. 2041 - Representative Whorton
House Resolution No. 2042 - Representatives Kuessner and Harris (110)
House Resolution No. 2043 - Representative Crowell
House Resolution No. 2044 - Representative Carnahan
House Resolution No. 2045 - Representatives Baker and Rector
House Resolution No. 2046
through
House Resolution No. 2048 - Representative Jetton
House Resolution No. 2049 - Representative Dethrow
House Resolution No. 2050
through
House Resolution No. 2052 - Representative Jetton
House Resolution No. 2053 - Representative Crowell
House Resolution No. 2054 - Representative Wasson
House Resolution No. 2055 - Representative Fares
House Resolution No. 2056 - Representative Donnelly
House Resolution No. 2057 - Representative Zweifel
House Resolution No. 2058 - Representative Bruns
House Resolution No. 2059 - Representative Lager
House Resolution No. 2060
through
House Resolution No. 2074 - Representative Jetton

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1750, introduced by Representatives Yates, Hobbs, Brown, Threlkeld, Pratt and Dusenberg, relating to general assembly members salaries.

SECOND READING OF HOUSE BILL

HB 1749 was read the second time.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1433** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Stevenson assumed the Chair.

THIRD READING OF HOUSE JOINT RESOLUTION

HS HCS HJRs **39, 38, 42 & 47**, relating to same-sex marriages, was taken up by Representative Engler.

On motion of Representative Engler, **HS HCS HJR**s **39, 38, 42 & 47** was read the third time and passed by the following vote:

AYES: 132

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Bringer	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Engler	Ervin	George	Goodman
Green	Guest	Hampton	Harris 110	Henke
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 90	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Witte

Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 023

Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Daus	Donnelly	Dougherty	Fraser
Graham	Harris 23	Haywood	Hoskins	Hubbard
Jones	Lowe	Sager	Villa	Vogt
Walker	Wilson 25	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Boykins	Fares	Hilgemann
Johnson 61	Jolly	Reinhart		

Representative Stevenson declared the bill passed.

Speaker Hanaway resumed the Chair.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS#2 SS SCS HS HCS HB 1304, as amended**, and has taken up and passed **CCS SS#2 SS SCS HS HCS HB 1304**.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SS#2 SS SCS HS HCS HB 1304** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SS#2 SS SCS HS HCS HB 1304** was delivered to the Governor by the Chief Clerk of the House.

Representative Stevenson resumed the Chair.

THIRD READING OF HOUSE BILLS

HS HB 1409, relating to enterprise zones, was taken up by Representative Dempsey.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 070

Abel	Barnitz	Bishop	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Bland	Hilgemann	Johnson 61	Reinhart
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On motion of Representative Dempsey, **HS HB 1409** was read the third time and passed by the following vote:

AYES: 098

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Darrough	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Guest	Harris 23	Hobbs	Hunter
Ice	Jackson	Jetton	Johnson 47	Kelly 144

King	Kingery	Lager	Lembke	LeVota
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright
Yates	Young	Madam Speaker		

NOES: 054

Barnitz	Bishop	Bringer	Brooks	Burnett
Campbell	Carnahan	Corcoran	Curls	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Haywood
Henke	Hoskins	Hubbard	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	Lawson	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Schoemehl	Selby	Shoemyer	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Wildberger	Willoughby
Wilson 25	Wilson 42	Yaeger	Zweifel	

PRESENT: 004

Boykins	Holand	Kratky	Seigfreid
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ABSENT WITH LEAVE: 007

Avery	Bland	Hilgemann	Johnson 61	Marsh
Myers	Reinhart			

Representative Stevenson declared the bill passed.

HS HCS HBs 1477 & 1563, relating to the Missouri Hospital Infection Control Act, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HS HCS HBs 1477 & 1563** was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser

George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 000

PRESENT: 001

Richard

ABSENT WITH LEAVE: 007

Avery	Bland	Hilgemann	Hubbard	Johnson 61
Reinhart	Young			

Representative Stevenson declared the bill passed.

Speaker Pro Tem Jetton assumed the Chair.

HB 844, relating to the Open Contracting Act, was taken up by Representative Mayer.

On motion of Representative Mayer, **HB 844** was read the third time and passed by the following vote:

AYES: 084

Angst	Bean	Bearden	Behnen	Bivins
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Pearce	Phillips	Portwood	Pratt	Purgason

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Quinn	Rector	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Threlkeld	Townley	Viebrock
Wallace	Walton	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 069

Abel	Baker	Barnitz	Bishop	Bringer
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	Lembke	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Parker	Ransdall	Sager
Salva	Schneider	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Zweifel	

PRESENT: 002

Brooks	Taylor
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ABSENT WITH LEAVE: 008

Avery	Bland	Boykins	Hilgemann	Johnson 61
Marsh	Reinhart	Young		

Speaker Pro Tem Jetton declared the bill passed.

Speaker Hanaway resumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

HS HCS HB 1433, relating to watershed improvement districts, was taken up by Representative Wood.

On motion of Representative Wood, **HS HCS HB 1433** was read the third time and passed by the following vote:

AYES: 153

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly

Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Abel	Avery	Bland	Brooks	Hilgemann
Johnson 61	Reinhart	Schlottach	Wagner	Young

Speaker Pro Tem Jetton declared the bill passed.

HCS HB 1093, relating to the rights of persons with service dogs, was taken up by Representative Deeken.

On motion of Representative Deeken, **HCS HB 1093** was read the third time and passed by the following vote:

AYES: 150

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 90	Jolly

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Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 001

Emery

PRESENT: 000

ABSENT WITH LEAVE: 012

Abel	Avery	Bland	Brooks	Carnahan
Deeken	Hilgemann	Holand	Johnson 61	Reinhart
Wagner	Young			

Speaker Pro Tem Jetton declared the bill passed.

Speaker Hanaway resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1089 - Health Care Policy
HB 1721 - Judiciary
HB 1730 - Budget
HB 1731 - Judiciary
HB 1732 - Education
HB 1733 - Crime Prevention and Public Safety
HB 1734 - Special Committee on General Laws
HB 1735 - Senior Security
HB 1736 - Crime Prevention and Public Safety
HB 1737 - Education
HB 1738 - Health Care Policy
HB 1739 - Small Business
HB 1740 - Professional Registration and Licensing

HB 1741 - Retirement
HB 1742 - Tourism and Cultural Affairs
HB 1743 - Judiciary
HB 1744 - Elections
HB 1745 - Elections
HB 1746 - Transportation and Motor Vehicles
HB 1747 - Tax Policy
HB 1748 - Children and Families
HB 1749 - Tax Policy

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HB 1548**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Children and Families, Chairman Phillips reporting:

Madam Speaker: Your Committee on Children and Families, to which was referred **HB 1339**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCS SB 901**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 901, Page 4, Section 260.370, Line 104, by inserting immediately after the words “**a conflict**” the following:

“**concerning authority for risk-based remediation rules**”; and

Further amend said page, Line 105 of said page, by inserting immediately after the figure “**644.026**” the following:

“(8)”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SS SCS SB 715**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **SCS SB 945, SB 803** and **SB 1257**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Education, to which was referred **SS SCS SB 968** and **SCS SB 969**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Elections, Chairman May reporting:

Madam Speaker: Your Committee on Elections, to which was referred **SCS SB 1091**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **SCS SB 1038**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Homeland Security and Veterans Affairs, Chairman Jackson reporting:

Madam Speaker: Your Committee on Homeland Security and Veterans Affairs, to which was referred **SCS SB 1365**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 884**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 921**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 1111**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SS SB 732**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 769**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 782**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 942, 850 & 841**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 951**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1055**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 1081**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 1093**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 1106**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Retirement, Chairman Smith (118) reporting:

Madam Speaker: Your Committee on Retirement, to which was referred **SB 1130**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 6

WHEREAS, the Preamble to the Missouri Constitution states:

"We, the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness, do establish this Constitution for the better government of the state."; and

WHEREAS, as a legislative body elected to serve the people of the State of Missouri, the display of the Preamble to the Missouri will provide a continuing and lasting reminder to our membership and all those who enter the House Chamber of the purpose for the establishment of the Missouri Constitution; and

WHEREAS, the House of Representatives should solicit design proposals and establish procedures for the selection of an appropriate design for the prominent display of the Preamble of the Missouri Constitution in the House Chamber:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, direct that the Preamble to the Missouri Constitution be prominently displayed in the House Chamber and the costs associated with the creation and installation be paid for by donations from members of the House of Representatives.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 1172**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **SB 1012**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 757**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 757, Page 10, Section 301.069, Line 12, by inserting after all of said line the following:

"302.775. The provisions of sections 302.700 to 302.780 shall not apply to:

- (1) Any person driving a farm vehicle as defined in section 302.700;
- (2) Any active duty military personnel, members of the reserves and national guard on active duty, including personnel on full-time national guard duty, personnel on part-time training and national guard military technicians, while driving military vehicles for military purposes;
- (3) Any person who drives emergency or fire equipment necessary to the preservation of life or property or the execution of emergency governmental functions under emergency conditions;
- (4) **Any person qualified to operate the equipment under subdivision (3) of this section when operating such equipment in other functions such as parades, special events, repair, service or other authorized movements;**

(5) Any person driving or pulling a recreational vehicle, as defined in sections 301.010 and 700.010, RSMo, for personal use; and

[(5)] (6) Any other class of persons exempted by rule or regulation of the director, which rule or regulation is in compliance with the Commercial Motor Vehicle Safety Act of 1986 and any amendments or regulations drafted to that act.

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, RSMo, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol or a state park ranger, those vehicles operated by enforcement personnel [by the division of motor carrier and railroad safety of the department of economic development] **of the state highways and transportation commission**, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175, RSMo;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44, RSMo;

(7) Any vehicle operated by an authorized employee of the department of corrections, who as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550, RSMo.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire;

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.026;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions;

(3) The exemptions [herein] granted to an emergency vehicle **pursuant to subdivision (2) of this subsection** shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class C misdemeanor.

307.175. Motor vehicles and equipment which are operated by any member of an organized fire department, ambulance association, or rescue squad, whether paid or volunteer, may be operated on streets and highways in this state as an emergency vehicle under the provisions of section 304.022, RSMo, while responding to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a warning siren and [while] using or displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used only in bona fide emergencies. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in writing and shall be issued and may be revoked by the chief of an organized fire department, organized ambulance association, or rescue squad and no person shall use or display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue equipment without a valid permit authorizing the use. Permit to use a siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with complying with all other traffic laws and regulations. Violation of this section constitutes a class A misdemeanor."; and

Further amend said bill, Page 13, Section 390.020, Line 124, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to ensure the efficient operation of emergency vehicles, the repeal and reenactment of sections 302.775, 304.022, and 307.775 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 302.775, 304.022, and 307.775 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 767**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 824**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 899**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 956**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 992**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 1006**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SS SCS SB 715 - Budget (Fiscal Note)**SB 807 - Judiciary**

SB 1166 - Local Government

SCS SB 1171 - Homeland Security and Veterans Affairs

SS SCS SB 1183 - Local Government

SCS SBs 1233, 840 & 1043 - Transportation and Motor Vehicles

SB 1394 - Tax Policy

The following member's presence was noted: Hilgemann.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, April 26, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Tuesday, April 20, 2004, Page 1142, Line 31, by inserting immediately after said line the following:

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

SS SCS SB 1279 - Health Care Policy

AFFIDAVITS

I, State Representative Tim Meadows, District 101, hereby state and affirm that my votes as recorded on Page 1168 of the House Journal for Wednesday, April 21, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of April 2004.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

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Subscribed and sworn to before me this 22nd day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my votes as recorded on Pages 1172 and 1173 of the House Journal for Wednesday, April 21, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of April 2004.

/s/ Bryan Pratt
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 22nd day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Ron Richard, District 129, hereby state and affirm that my votes as recorded on Pages 1170 and 1171 of the House Journal for Wednesday, April 21, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of April 2004.

/s/ Ron Richard
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 22nd day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jay Wasson, District 141, hereby state and affirm that my vote as recorded on Page 1175 of the House Journal for Wednesday, April 21, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of April 2004.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 22nd day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 27, 2004, 12:00 p.m. Hearing Room 1.

Presentations by Food and Agriculture Policy Research Institute - University of Missouri;
Farm Credit. Possible Executive session.

BUDGET

Tuesday, April 27, 2004, 8:00 a.m. Hearing Room 3.

Fiscal Review; Possible Executive session.

Hear other bills that may be assigned or referred to committee for fiscal review.

CHILDREN AND FAMILIES

Tuesday, April 27, 2004, Hearing Room 1 upon evening adjournment.

Public hearings to be held on: SCS#2 SB 762, SCR 24

Executive session may be held on: HB 799, HB 1551

CORRECTIONS AND STATE INSTITUTIONS

Tuesday, April 27, 2004, Hearing Room 4 upon evening adjournment.

Executive session.

Public hearings to be held on: SCS SB 1044, SB 1322

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 27, 2004, Hearing Room 3 upon afternoon adjournment.

Public hearings to be held on: HB 1643, HB 983, HB 1081

Executive session will be held on: SS SCS SCR 36, SCS SB 1265, SCS SB 1225, HB 1479, HB 918

ELECTIONS

Tuesday, April 27, 2004, Hearing Room 7 upon evening adjournment.

Executive session to precede the public hearing.

Public hearing to be held on: HB 1569

FINANCIAL SERVICES

Tuesday, April 27, 2004, 12:00 p.m. Hearing Room 6.
Executive session.

JOINT COMMITTEE ON CORRECTIONS

Monday, May 3, 2004, 12:00 p.m. Hearing Room 7.
Status of Chillicothe Correctional Center; Report from the Department of Corrections;
Report from Design & Construction on Jefferson City Correctional Center, Randy Allen;
Committee tour schedule.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 29, 2004, 8:00 a.m. Hearing Room 7.
2nd Quarter Meeting.

LOCAL GOVERNMENT

Monday, April 26, 2004, 3:00 p.m. Hearing Room 6.
Executive session will be held on: SB 1391, SB 1329, SCS SB 758, SCR 23, SB 1114

HOUSE CALENDAR

FIFTY-SEVENTH DAY, MONDAY, APRIL 26, 2004

HOUSE BILL FOR SECOND READING

HB 1750

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HB 1424 - Stefanick (93)
- 7 HB 1302 - Lager (4)
- 8 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 9 HB 1337 - Nieves (98)
- 10 HB 1109 - Crawford (117)
- 11 HCS HB 1243, 1094 & 931 - Mayer (159)
- 12 HCS HB 1267 - Cooper (120)
- 13 HB 1408 - Mayer (159)

- 14 HCS HB 1671 - Hanaway (87)
- 15 HCS HB 1181 & 1719 - Selby (105)
- 16 HB 1339 - Cunningham (86)
- 17 HB 1548 - Crawford (117)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1599, HSA 1 for HA 1, HA 1 and HS, pending - Ervin (35)

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 21, (4-21-04, Pages 1178-1179) - Ruestman (131)

HOUSE BILL FOR THIRD READING

HCS HB 1099, (Budget 4-21-04) - Reinhart (34)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING - CONSENT

SCS SB 878 - Rector (124)

(4/19/04)

SCS SB 1331 - Bivins (97)

(4/26/04)

- 1 HCS SS SB 732 - Johnson (47)
- 2 HCS SB 884 - Lager (4)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 HCS SCS SB 1106, E.C. - Schaaf (28)
- 8 HCS SCS SB 1093 - Hanaway (87)
- 9 SCS SB 1091 - Parker (12)
- 10 SB 1055 - Johnson (47)
- 11 HCS SB 1012, E.C. - Baker (123)
- 12 SCS SB 992 - Mayer (159)
- 13 SCS SB 956 - Wilson (119)

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- 14 SB 951 - Threlkeld (109)
- 15 HCS SCS SBs 942, 850 & 841, E.C. - Goodman (132)
- 16 HCS SCS SB 945 and SB 803 & SB 1257, E.C. - Moore (20)
- 17 SCS SB 901, HCA 1 - Townley (112)
- 18 SB 899 - Dusenbergs (54)
- 19 HCS SB 824 - Schlottach (111)
- 20 SCS SB 782 - Johnson (47)
- 21 HCS SB 769, E.C. - Emery (126)
- 22 SCS SB 767 - Cunningham (145)
- 23 SCS SB 757, HCA 1 - Cooper (120)
- 24 SB 1130 - Deeken (114)
- 25 SCS SB 1172 - Fares (91)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SS SCS SB 1099 - Dempsey (18)
- 3 SB 932 - Wilson (130)
- 4 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 5 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 6 SCS SB 1100 - Hanaway (87)
- 7 HCS SCS SBs 1144, (Budget 4-22-04) - Johnson (47)
- 8 HCS SCS SB 1160 - Johnson (47)
- 9 SS SS SCS SB 715, (Budget 4-22-04) - Johnson (47)
- 10 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 11 HCS SCS SB 1038 - Luetkemeyer (115)
- 12 HCS SS SCS SB 1081 - Pratt (55)
- 13 HCS SCS SB 1365 - Jackson (89)

BILL IN CONFERENCE

CCR#2 HCS SB 739, as amended - Myers (160)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

HOUSE RESOLUTION

HR 6, (4-22-04) - Schaaf (28)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, MONDAY, APRIL 26, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your Word instructs us to open our mouths with skillful and godly wisdom which gives way to the law of kindness which freely gives counsel and instruction. May our work today and throughout this week be counsel and instruction to future generations for years to come.

May Your strength and dignity clothe us today and may we keep our hand fixed to the plow of consistent service.

Help us to put aside, in this session, preconceived ideas, but allow us to proceed with great expectation of good things to come.

And now unto You be glory both now and forever.....

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Trenton Bainbridge.

The Journal of the fifty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2075

and

House Resolution No. 2076 - Representative Page

House Resolution No. 2077 - Representatives Burnett and LeVota

House Resolution No. 2078 - Representative Dixon

House Resolution No. 2079

through

House Resolution No. 2081 - Representative Goodman

House Resolution No. 2082 - Representative Sander

House Resolution No. 2083 - Representative Pearce

House Resolution No. 2084 - Representative Page
House Resolution No. 2085
and
House Resolution No. 2086 - Representative Dethrow
House Resolution No. 2087 - Representative Hunter
House Resolution No. 2088
and
House Resolution No. 2089 - Representative Yates
House Resolution No. 2090 - Representative Smith (14), et al
House Resolution No. 2091 - Representatives Angst and Cunningham (145)
House Resolution No. 2092
through
House Resolution No. 2105 - Representative Hobbs
House Resolution No. 2106 - Representative Jones
House Resolution No. 2107 - Representative Lembke
House Resolution No. 2108
through
House Resolution No. 2113 - Representative Cunningham (145)
House Resolution No. 2114
and
House Resolution No. 2115 - Representative Fraser
House Resolution No. 2116 - Representative Bruns
House Resolution No. 2117 - Representative Nieves
House Resolution No. 2118 - Representative Mayer
House Resolution No. 2119 - Representative Graham, et al
House Resolution No. 2120
through
House Resolution No. 2126 - Representative Pratt
House Resolution No. 2127 - Representative Graham

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1751, introduced by Representative Harris (23), relating to workers' compensation.

SECOND READING OF HOUSE BILL

HB 1750 was read the second time.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS HB 895**, **SCS HB 916** and **HB 1001** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 895**, **SCS HB 916** and **HB 1001** were delivered to the Governor by the Chief Clerk of the House.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1002**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002, Page 12, Section 2.230, by inserting immediately after said section, the following new section:

**"Section 2.231. To the Department of Elementary and Secondary Education
For Veterans Memorial Videotaping provided that the source of funds shall be those funds allocated
pursuant to Section 160.530.2, RSMo.
From General Revenue Fund \$1,000,000".**

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1003**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1004**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1005**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1005, Page 13, Section 5.226, Line 6, by inserting immediately after said line the following:

“This section is contingent upon passage of SB 1221 and SB 1227”; and

Further amend said bill, Page 13, Section 5.227, Line 5, by inserting immediately after said line the following:

“This section is contingent upon passage of SB 1221 and SB 1227”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1006**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2004 and ending June 30, 2005.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1007**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1007, Page 6, Section 7.060, Line 10, by inserting immediately after the word “Levee,” the following: “Branson Landing Project.”

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1007, Page 4, Section 7.020, Line 38, by deleting the number “700,000” and replacing it with the number “850,000”; and

Further amend said bill, Section 7.025, Line 8, by deleting the number “3,303,360” and replacing it with the number “3,453,360” and amend section and bill totals accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1007, Page 5, Section 7.050, Line 9, by inserting immediately after said line the following:

“For the Missouri Main Street Program
From Missouri Main Street Program Fund \$40,590”; and

Further amend said bill, Section 7.050, by inserting immediately after said section the following new section:

“Section 7.053. To the Department of Economic Development
Funds are to be transferred out of the State Treasury, chargeable to the General Revenue Fund, to the Missouri Main Street Program Fund
From General Revenue Fund \$40,590”; and

Amend section and bill total accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1008**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1009**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1010**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and

programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Missouri Senior Rx Program to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

With Senate Substitute Amendment No. 2 for Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4.

*Senate Substitute Amendment No. 2
for
Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1010, Page 29, Section 10.677, Line 26, by deleting said line and inserting in lieu thereof the following:

"From General Revenue Fund	\$570,000
From New Federal Funds	<u>760,000</u>
Total	\$1,330,000"; and

Further amend bill totals accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1010, Page 26, Section 10.650, Line 5, by deleting said line and inserting in lieu thereof the following:

"for the diagnosis and treatment of tuberculosis based on current".

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1010, Page 2, Section 10.010, Line 7, by deleting the number "\$5,372,822" and inserting in lieu thereof the number "\$5,515,822"; and

Further amend said section, by deleting Line 11 and inserting in lieu thereof:

"Total (Not to exceed 120.13 F.T.E.) \$6,460,944"; and

Further amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1011**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1011, Page 28, Section 11.465, Line 35, by deleting the number “113,533,434” and inserting in lieu thereof the number “115,533,434”; and

Further amend said section, Line 36, by deleting the number “179,556,526” and inserting in lieu thereof the number “182,556,526”; and

Further amend said section, Line 58, by deleting the number “\$761,157,980” and inserting in lieu thereof the number “\$766,157,980”; and

Further amend bill totals accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1011, Page 25, Section 11.435, Line 5, by inserting immediately thereafter the word “pharmacists” the following:

“and for the development of a Comprehensive Chronic Care Risk Management program.”; and

Further amend said bill, Page 31, Section 11.480, Line 4, by inserting immediately thereafter the word “programs” the following:

“and for the development of a Comprehensive Chronic Care Risk Management program.”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1012**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2004 and ending June 30, 2005.

With Senate Amendment No. 2.

Senate Amendment No. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1012, Page 11, Section 12.355, Line 6, by deleting the number “111,904,140” and inserting in lieu thereof the number “112,027,200”; and amend section and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HS HCS HB 1002, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1002, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1003, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1003** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1004, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1004** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1005, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1005, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1006, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1006** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1007, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1007, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1008, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1008** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1009, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1009** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1010, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1010, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Jackson assumed the Chair.

SCS HS HCS HB 1011, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1011, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HCS HB 1012, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden moved that the House refuse to adopt **SCS HS HCS HB 1012, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 21, relating to the Poultry Industry Committee, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **HCR 21** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery

Hilgemann

Schneider

Stevenson

Walton

Representative Jackson declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1109, relating to motorcycle helmets, was taken up by Representative Crawford.

Representative Ward offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1109, Page 2, Section 302.020, Line 31, by inserting immediately after said line the following:

"3. Every person operating a motorcycle or motor tricycle, as defined in Section 301.010, RSMo, upon any highway of this state wear protective eyewear at all times the vehicle is in motion"; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Ward moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Walker offered **House Amendment No. 2**.

Representative Pratt raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Jackson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Sager offered **House Amendment No. 3**.

Representative Pratt raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Jackson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Walker offered **House Amendment No. 4**.

Representative Pratt raised points of order that **House Amendment No. 4** goes beyond the scope of the bill and is dilatory.

Representative Jackson requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order well taken.

On motion of Representative Crawford, **HB 1109** was ordered perfected and printed.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 968 and SCS SB 969 - Budget (Fiscal Review)

HCS SCS SB 1038 - Budget (Fiscal Review)

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 923**

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 947**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1047**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1107**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1246**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1291**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1347**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1363**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1399**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1622**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1002, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1003** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1004** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1005, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1006** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1007, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1008** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1009** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1010, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1011, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HB 1012, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Gross, Shields, Goode and Dougherty.

The following member's presence was noted: Stevenson.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, April 27, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Charlie Schlottach, District 111, hereby state and affirm that my vote as recorded on Page 1192 of the House Journal for Thursday, April 22, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that

I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of April 2004.

/s/ Charlie Schlottach
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 26th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Russ Carnahan, District 59, hereby state and affirm that my vote as recorded on Page 1193 of the House Journal for Thursday, April 22, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of April 2004.

/s/ Russ Carnahan
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 26th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bill Deeken, District 114, hereby state and affirm that my vote as recorded on Page 1193 of the House Journal for Thursday, April 22, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of April 2004.

/s/ Bill Deeken
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 26th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Tuesday, April 27, 2004, 12:00 p.m. Hearing Room 1.

Presentations by Food and Agriculture Policy Research Institute - University of Missouri;
Farm Credit. Possible Executive session.

BUDGET

Tuesday, April 27, 2004, 8:00 a.m. Hearing Room 3.

Fiscal Review. Possible Executive session.

Hear other bills that may be assigned or referred to committee for fiscal review.

BUDGET

Wednesday, April 28, 2004, 8:00 a.m. Hearing Room 3.

Fiscal review. Possible Executive session.

Other bills that may be assigned or referred to committee for fiscal review.

CHILDREN AND FAMILIES

Tuesday, April 27, 2004, Hearing Room 1 upon evening adjournment.

Public hearings to be held on: SCS#2 SB 762, SCR 24

Executive session may be held on: HB 799, HB 1551

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, April 27, 2004, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: SCS SB 1116, SS SB 1370

CORRECTIONS AND STATE INSTITUTIONS

Tuesday, April 27, 2004, Hearing Room 4 upon evening adjournment.

Executive session.

Public hearings to be held on: SCS SB 1044, SB 1322

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 27, 2004, Hearing Room 3 upon afternoon adjournment.

AMENDED

Public hearings to be held on: HB 1643, HB 983, HB 1081, SB 1229, SCS SB 972

Executive session will be held on: SS SCS SCR 36, SCS SB 1265, SCS SB 1225, SB 1229,
SCS SB 972, HB 1479, HB 918

ELECTIONS

Tuesday, April 27, 2004, Hearing Room 7 upon evening adjournment.

Executive session to precede the public hearing. AMENDED

Public hearings to be held on: HB 1569, HB 1744, HB 1745

FINANCIAL SERVICES

Tuesday, April 27, 2004, 12:00 p.m. Hearing Room 6.
Executive session.

JOINT COMMITTEE ON CORRECTIONS

Monday, May 3, 2004, 12:00 p.m. Hearing Room 7.
Status of Chillicothe Correctional Center; Report from the Department of Corrections;
Report from Design & Construction on JCCC, Randy Allen; Committee tour schedule.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 29, 2004, 8:00 a.m. Hearing Room 7.
2nd Quarter Meeting

LOCAL GOVERNMENT

Thursday, April 29, 2004, 8:30 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 1724, SS SCS SB 1183, SB 1166

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 27, 2004, 12:00 p.m. Hearing Room 4.
Public hearings to be held on: HB 1425, HB 1573, HB 1591
Executive session may be held on: SCS SB 1181, SCS SB 1218

SENIOR SECURITY

Tuesday, April 27, 2004, Hearing Room 6 upon evening adjournment.
Public hearings to be held on: HB 1735, HCR 17

SMALL BUSINESS

Wednesday, April 28, 2004, Hearing Room 4 upon morning adjournment.
Executive session may follow.
Public hearing to be held on: HB 1739

TAX POLICY

Tuesday, April 27, 2004, 12:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 1680, HB 1697, HB 1712, HB 1701, SB 1394, SCS SB 988

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 28, 2004, 12:00 p.m. Hearing Room 7.
Public hearings to be held on: HB 1746, SCS SBs 1233, 840 & 1043
Executive session will be held on: HB 1663, HB 1283, HB 1715, HB 1688, HB 1690, HB 1746,
SCS SB 710, SCS SB 1262

HOUSE CALENDAR

FIFTY-EIGHTH DAY, TUESDAY, APRIL 27, 2004

HOUSE BILL FOR SECOND READING

HB 1751

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HCS HB 1150 - May (149)
- 4 HB 1092 - Deeken (114)
- 5 HCS HB 843, 880 & 1042 - Angst (146)
- 6 HB 1424 - Stefanick (93)
- 7 HB 1302 - Lager (4)
- 8 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 9 HB 1337 - Nieves (98)
- 10 HCS HB 1243, 1094 & 931 - Mayer (159)
- 11 HCS HB 1267 - Cooper (120)
- 12 HB 1408 - Mayer (159)
- 13 HCS HB 1671 - Hanaway (87)
- 14 HCS HB 1181 & 1719 - Selby (105)
- 15 HB 1339 - Cunningham (86)
- 16 HB 1548 - Crawford (117)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1599, HSA 1 for HA 1, HA 1 and HS, pending - Ervin (35)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1099, (Budget 4-21-04) - Reinhart (34)
- 2 HB 1109 - Crawford (117)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)

(4/26/04)

- 1 HCS SS SB 732 - Johnson (47)
- 2 HCS SB 884 - Lager (4)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 HCS SCS SB 1106, E.C. - Schaaf (28)
- 8 HCS SCS SB 1093 - Hanaway (87)
- 9 HCS SCS SB 1091 - Parker (12)
- 10 SB 1055 - Johnson (47)
- 11 HCS SB 1012, E.C. - Baker (123)
- 12 SCS SB 992 - Mayer (159)
- 13 SCS SB 956 - Wilson (119)
- 14 SB 951 - Threlkeld (109)
- 15 HCS SCS SBs 942, 850 & 841, E.C. - Goodman (132)
- 16 HCS SCS SB 945 and SB 803 and SB 1257, E.C. - Moore (20)
- 17 SCS SB 901, HCA 1 - Townley (112)
- 18 SB 899 - Dusenberger (54)
- 19 HCS SB 824 - Schlottach (111)
- 20 HCS SCS SB 782 - Johnson (47)
- 21 HCS SB 769, E.C. - Emery (126)
- 22 SCS SB 767 - Cunningham (145)
- 23 SCS SB 757, HCA 1 - Cooper (120)
- 24 SB 1130 - Deeken (114)
- 25 SCS SB 1172 - Fares (91)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SS SCS SB 1099 - Dempsey (18)
- 3 SB 932 - Wilson (130)
- 4 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 5 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 6 SCS SB 1100 - Hanaway (87)
- 7 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 8 HCS SCS SB 1160 - Johnson (47)
- 9 SS SS SCS SB 715, (Budget 4-22-04) - Johnson (47)
- 10 HCS SS SCS SB 968 and SCS SB 969, (Budget 4-26-04), E.C. - Baker (123)

- 11 HCS SCS SB 1038, (Budget 4-26-04) - Luetkemeyer (115)
- 12 HCS SS SCS SB 1081 - Pratt (55)
- 13 HCS SCS SB 1365 - Jackson (89)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SCS HS HCS HB 1002, as amended - Bearden (16)
- 3 SCS HS HCS HB 1003 - Bearden (16)
- 4 SCS HS HCS HB 1004 - Bearden (16)
- 5 SCS HS HCS HB 1005, as amended - Bearden (16)
- 6 SCS HS HCS HB 1006 - Bearden (16)
- 7 SCS HS HCS HB 1007, as amended - Bearden (16)
- 8 SCS HS HCS HB 1008 - Bearden (16)
- 9 SCS HS HCS HB 1009 - Bearden (16)
- 10 SCS HS HCS HB 1010, as amended - Bearden (16)
- 11 SCS HS HCS HB 1011, as amended - Bearden (16)
- 12 SCS HS HCS HB 1012, as amended - Bearden (16)

VETOED HOUSE BILL

HCR 5 - Byrd (94)

HOUSE RESOLUTION

HR 6, (4-22-04, Page 1197) - Schaaf (28)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, TUESDAY, APRIL 27, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Lord our God, this Spring, people up and down the Missouri River are celebrating our blessings, blessings which reach back 200 years to the expedition of Lewis and Clark. We thank You for those blessings in the name of all the people of our State.

Within these Chambers we have reached the hard work of the last weeks of the 2004 Session of this body. We pray for ourselves.

Lord,
may everything we do
begin with Your inspiration
and continue with Your help,
so that all our prayers and works
may begin in You
and by You be happily ended.
Glory and praise to You,
forever and ever.
Amen.
(*Book of Blessings*)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicholas Fehner, Timothy Nendick, Megan Stanley, Kristin White, Dillon Johnson, Katie Neuman, Kaley Overton, Daniel Sanders, Scott Ginger, Mark Heff, Veronica Merz, Molly Dennis, Allison Clark, Andrei Bautin, Kirsten James, Tommy Kackley and Ashley Marlin.

The Journal of the fifty-seventh day was approved as printed.

SPECIAL RECOGNITION

Derick English was introduced by Representative Dixon and recognized as an Outstanding Missouri Student.

Susan Watkins was introduced by Representatives LeVota and Burnett and recognized as an Outstanding Missourian.

Teresa Tulipana was introduced by Representative Phillips and recognized as the 2004 Principal of the Year.

Ms. Tulipana addressed the House.

The Special Olympics Basketball Team from Union, Missouri, was introduced by Representative Nieves and recognized for winning gold medals and taking top honors in their division during the state competition in Kansas City, Missouri.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2128
through
House Resolution No. 2132 - Representative Dougherty
House Resolution No. 2133
through
House Resolution No. 2146 - Representative Black
House Resolution No. 2147 - Representatives Pratt and Dusenberg
House Resolution No. 2148
and
House Resolution No. 2149 - Representative Cunningham (145)
House Resolution No. 2150 - Representative Quinn
House Resolution No. 2151 - Representative Villa
House Resolution No. 2152 - Representative Sander
House Resolution No. 2153
and
House Resolution No. 2154 - Representative Fares
House Resolution No. 2155
and
House Resolution No. 2156 - Representative Donnelly
House Resolution No. 2157
through
House Resolution No. 2183 - Representative Hobbs
House Resolution No. 2184 - Representative Crawford
House Resolution No. 2185
through
House Resolution No. 2187 - Representative Bough
House Resolution No. 2188 - Representative Smith (14)
House Resolution No. 2189
through
House Resolution No. 2192 - Representative Lager

SECOND READING OF HOUSE BILL

HB 1751 was read the second time.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **SS SS SCS SB 715** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HS HCS HB 1002: Representatives Bearden, Lager, Stevenson, Hoskins and Walker.

Speaker Pro Tem Jetton assumed the Chair.

PERFECTION OF HOUSE BILL

HB 1339, relating to informed consent for abortions, was taken up by Representative Cunningham (86).

Representative Cunningham (86) offered **HS HB 1339**.

Representative Portwood offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1339, Page 6, Section 188.028, by deleting Lines 14-18 and inserting in lieu thereof the following:

"188.031. For purposes of section 188.028, the term "next friend" shall not include:

- (1) Another minor child; or**
- (2) Any person, party, conservator, or business entity that has a financial interest or potential gain from the minor child's decision to have an abortion; or**
- (3) Any person in an individual or representative capacity or any entity that has a financial interest in, or potential gain from, the proposed abortion, and any employee of or volunteer for such person or entity.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1339, Page 1, Section 188.015, Line 16, by deleting the phrase "As used in this chapter,"; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Bill No. 1339, Page 8, Section 188.250, Line 22, by inserting after all of said line the following:

"191.715. 1. This section shall be known and may be cited as the "Woman's Right to Know Act".

2. For purposes of this section, "emergency contraception" means any drug or device approved by the Food and Drug Administration that prevents pregnancy after intercourse.

3. The division of maternal, child, and family health within the department of health and senior services shall endeavor to raise public awareness by informing hospitals, health care providers, pharmacists, and the community of the existence and availability of emergency contraception. The division shall also endeavor to promote appropriate counseling and referrals for all contraceptive drugs and devices, including emergency contraception, that are approved by the Food and Drug Administration. The division shall develop and distribute information which describes the contraceptive drugs and devices that are available and stresses the availability of emergency contraception, its use and safety, and its effectiveness in preventing pregnancy if taken as soon as possible after intercourse. The information shall stress that emergency contraception is a method of pregnancy prevention that cannot harm or terminate an established pregnancy. The information shall also inform women that pursuant to section 376.1199, RSMo, health insurance plans that cover prescription drugs must also cover contraceptive drugs and devices."; and

Further amend said bill, Section 188.255, Lines 23-25 on Page 8 and Lines 1-22 on Page 9, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Byrd requested a division of the question on **House Amendment No. 3.**

HB 1339, with Part I and Part II of House Amendment No. 3, House Amendment No. 3, and HS, as amended, pending, was placed on the Informal Calendar.

Representative Dempsey assumed the Chair.

On motion of Representative Crowell, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2193 - Representative Shoemyer
House Resolution No. 2194 - Representative Hanaway
House Resolution No. 2195
and
House Resolution No. 2196 - Representative Walker
House Resolution No. 2197 - Representatives Walker and Sager
House Resolution No. 2198 - Representative Walker
House Resolution No. 2199
through
House Resolution No. 2201 - Representative Lipke
House Resolution No. 2202 - Representative Bivins
House Resolution No. 2203
and
House Resolution No. 2204 - Representative Wood
House Resolution No. 2205
through
House Resolution No. 2207 - Representative Sager
House Resolution No. 2208 - Representative Sager, et al
House Resolution No. 2209
through
House Resolution No. 2213 - Representative Mayer
House Resolution No. 2214 - Representative Swinger
House Resolution No. 2215 - Representative Schoemehl

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1752, introduced by Representative Harris (23), relating to enterprise zone designation.

HB 1753, introduced by Representative Sager, relating to scholarships for community college students and graduates.

HB 1754, introduced by Representative Sager, relating to fraudulently stopping payment of an instrument.

PERFECTION OF HOUSE BILL - INFORMAL

HB 1339, with Part I and Part II of House Amendment No. 3, House Amendment No. 3, and HS, as amended, pending, relating to informed consent for abortions, was again taken up by Representative Cunningham (86).

The division of the question on **House Amendment No. 3** was withdrawn.

House Amendment No. 3 was withdrawn.

Representative Muckler offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Bill No. 1339, Pages 8-9, Section 188.255, by striking all of said section from the bill; and

Further amend the title and enacting clause of said bill accordingly.

On motion of Representative Muckler, **House Amendment No. 4** was adopted.

Representative Lager assumed the Chair.

Representative Stevenson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Bill No. 1339, Page 8, Section 188.250, Line 2, by inserting after the word “person” on said line the following: “**individually**”.

On motion of Representative Stevenson, **House Amendment No. 5** was adopted.

Representative Page offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Bill No. 1339, Page 8, Section 188.250, Line 6, by inserting after all of said line the following:

“No person who has committed or knowingly allows to be committed an act of rape or incest against a minor child who subsequently obtains an abortion without consent or judicial decree required by section 188.028 may be awarded damages.”.

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 6**.

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Substitute for House Bill No. 1339, Page 1, Lines 5-6, by deleting the following on said lines:

“without consent or judicial decree required by section 188.028.”.

On motion of Representative Pratt, **House Amendment No. 1 to House Amendment No. 6** was adopted.

Representative Abel offered **House Substitute Amendment No. 1 for House Amendment No. 6, as amended.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Substitute for House Bill No. 1339, Page 7, Section 188.250 by deleting said section.

Representative Abel moved that **House Substitute Amendment No. 1 for House Amendment No. 6, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 040

Abel	Bishop	Bland	Boykins	Brooks
Campbell	Carnahan	Curls	Darrough	Daus
Donnelly	Dougherty	Fares	Fraser	Graham
Harris 23	Haywood	Hilgemann	Hoskins	Hubbard
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
LeVota	Lowe	Page	Sager	Skaggs
Thompson	Walker	Walton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Young	Zweifel

NOES: 120

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Bringer
Brown	Bruns	Burnett	Byrd	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	El-Amin	Emery
Engler	Ervin	George	Goodman	Green
Guest	Hampton	Harris 110	Henke	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Swinger	Taylor	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Ward	Wasson	Whorton	Wilson 119	Wilson 130
Wood	Wright	Yaeger	Yates	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery

Quinn

Sutherland

Representative Sager offered **House Amendment No. 2 to House Amendment No. 6.**

Representative Yates raised a point of order that **House Amendment No. 2 to House Amendment No. 6** goes beyond the scope of the underlying amendment.

Representative Lager requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Page, **House Amendment No. 6, as amended**, was adopted.

Representative Wright offered **House Amendment No. 7.**

Representative Johnson (90) raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

Representative Lager requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Muckler offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for House Bill No. 1339, Section 188.080, Page 7, Line 19 of said page, by inserting after all of said line the following:

“188.180. 1. The attending physician who is to perform or induce an abortion or a referring physician, or other qualified agent of either physician under the physician's supervision to whom the responsibility has been delegated by the physician, including but not limited to a nurse, physician assistant, or social worker, shall provide geographically indexed educational materials prepared pursuant to section 188.185 that are designed to inform the woman of alternatives to abortion agencies and alternatives to abortion services. The physician or the qualified agent of the physician actually providing such materials shall sign, and shall cause the patient to sign after receiving such materials, a written statement certifying that such materials have been delivered to and received by the patient. If the patient chooses to proceed with the abortion, all such executed statements shall be maintained as part of the patient's medical file, subject to the confidentiality laws and rules of this state.

2. The attending physician shall allow the patient twenty-four hours, prior to performing or inducing the abortion, for the patient to assimilate and consider the information regarding alternatives to abortion and to make a decision whether to proceed with the abortion or to carry her unborn child to term.

3. The physician shall be civilly liable to the patient and any other person sustaining loss, injury, or damages caused by the failure to comply with the provisions of this section. A court can enter any other appropriate relief, including injunctive relief, in order to prevent violations of this section. A physician who has been found to have violated the provisions of this section, whether or not damages are awarded, or who settles any claim or cause of action based upon the physician's violation of this section, shall be subject to discipline of the physician's license, certificate, or permit to practice medicine.

188.185. 1. The department shall develop geographically indexed educational materials, including but not limited to brochures and other media, about positive options during pregnancy and alternatives to abortion, including but not limited to the following:

(1) Alternatives to abortion agencies;

(2) Alternatives to abortion services and other services available to mothers of newborn children offered either directly by the state or its political subdivisions or by contractors with the state or its political subdivisions, or by private community-based programs, such services that include but are not limited to: prenatal care; medical and mental health care; parenting skills; drug and alcohol testing and treatment; child care; newborn or infant care; housing; utilities; educational services; food, clothing, and supplies relating to pregnancy, newborn care, and parenting; adoption assistance; job training and placement; establishing and promoting responsible paternity; domestic abuse protection; and transportation.

3. The materials shall include a comprehensive list of the agencies providing such alternatives to abortion services and other services, a description of the services offered by each agency, and the addresses and telephone numbers of each agency. The list shall not include any agency which performs, induces, or refers for abortion or which holds itself out as performing, inducing, or referring for abortions. The following statement shall be prominently placed within such materials: "There are many public and private agencies willing and able to help you to carry your child to term, and to assist you and your child after your child is born, whether you choose to keep your child or place him or her for adoption. The State of Missouri strongly urges you to contact these agencies before making a final decision about abortion. State law requires that your physician or his or her agent give you the opportunity to contact agencies like these before you undergo an abortion."

4. The department shall publicly solicit alternatives to abortion agencies and other public and private agencies providing alternatives to abortion services to provide information to the commission about the agency and the services rendered by the agency. The commission may utilize already existing lists of agencies providing alternatives to abortion services within the state in preparing the materials required by this section, including information collected pursuant to the adoption awareness law, section 191.975, RSMo.

5. The materials shall be distributed by the department to family planning clinics, abortion facilities, hospitals where abortions are performed or induced, and physicians who perform or induce abortions; provided, however, that if necessary to preserve the confidentiality of abortion facilities, hospitals where abortions are performed or induced, or physicians who perform or induce abortions, the department shall distribute such materials on behalf of the commission. Such materials shall also be available to the public through the commission's Internet web site."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muckler moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May

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Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 072

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Cunningham (86), **HS HB 1339, as amended**, was adopted.

On motion of Representative Cunningham (86), **HS HB 1339, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

SCS SB 1100, relating to administrative rules, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **SCS SB 1100** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Carnahan	Cooper 120	Cooper 155

Corcoran	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yates	Young	Zweifel
Madam Speaker				

NOES: 006

Burnett	Green	Harris 23	Johnson 90	Walker
Yaeger				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Avery	Campbell	Crawford	Darrough	Johnson 61
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Representative Lager declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1150, relating to ethics, was taken up by Representative May.

Representative May offered **HS HCS HB 1150**.

Representative Johnson (47) offered **House Amendment No. 1**.

Representative Yates raised a point of order that **House Amendment No. 1** goes beyond the scope of the underlying bill.

Representative Lager requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Wildberger offered **House Amendment No. 2**.

Speaker Pro Tem Jetton resumed the Chair.

Representative Yates raised a point of order that **House Amendment No. 2** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Seigfreid offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1150, Section 105.957, Page 24, Line 5, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said section and page, Lines 6-7, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said section and page, Line 18, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said section and page, Line 19, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said substitute, Section 105.963, Page 40, Line 11, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said section and page, Line 13, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said substitute, Section 130.054, Page 91, Line 2, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said section and page, Lines 3-4, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said section and page, Line 15, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said section and page, Line 16, by striking “**five thousand**” and inserting in lieu thereof “**two thousand five hundred**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

Representative Goodman offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill No. 1150, Page 55, Section 130.011, Line 25 of said page by inserting after said line the following:

“130.018. 1. Every governor-elect shall form a gubernatorial inaugural committee to receive and accept contributions, monetary and in-kind, to be used solely in support of the governor-elect's inaugural activities. The committee shall be subject to all reporting requirements, penalties, procedures, limitations, and obligations of candidate committees and of candidates for the office of governor as provided in this chapter, and shall be subject to any regulations adopted pursuant to such sections.

2. No expenditure of public funds shall be made in support of any gubernatorial inaugural activity until the governor-elect has formed a gubernatorial inaugural committee as provided by this section. The expenditure of public funds shall not be subject to the contribution limitation in section 130.032, RSMo.

3. For a governor-elect not seeking reelection, any funds remaining in the inaugural committee's bank account after all inaugural expenses have been paid shall escheat to the state.

130.019. 1. The house of representatives and the senate shall form a legislative inaugural committee to receive and accept contributions, monetary and in-kind, to be used solely in support of the legislative inaugural activities. The committee shall be subject to all reporting requirements, penalties, procedures, limitations, and obligations of candidate committees and of candidates for offices in the house of representatives as provided in this chapter, and shall be subject to any regulations adopted pursuant to such sections.

2. No expenditure of public funds shall be made in support of any legislative inaugural activity until the house of representatives and senate have formed a legislative inaugural committee as provided by this section. The expenditure of public funds shall not be subject to the contribution limitation in section 130.032.

3. Any funds remaining in the legislative inaugural committee's bank account after all legislative inaugural expenses have been paid shall escheat to the state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Johnson (90) raised a point of order that **House Amendment No. 4** is improperly drafted.

The Chair ruled the point of order not well taken.

On motion of Representative Goodman, **House Amendment No. 4** was adopted.

Representative Zweifel offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill No. 1150, Section 105.473, Page 4, Line 24, by inserting an opening bracket (“[”) before “c.”; and

Further amend said section, Page 5, Line 6, by inserting a closing bracket (“]”) after “committees;” and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Zweifel moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Walker offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill No. 1150, Page 21, Section 105.473, Line 7, by inserting the following after all of said line:

“105.479. 1. No person shall perform the functions of an executive lobbyist, judicial lobbyist, or legislative lobbyist, as those terms are defined in section 105.470, within twelve months of leaving a position as a statewide elected official or member of the general assembly.

2. Any person who knowingly violates this section shall be guilty of illegal lobbying, and shall be subject to a civil penalty in an amount not to exceed ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the Missouri ethics commission. Any resident of the state or member of the commission may file a civil complaint against any person violating this section.”; and

Further amend said substitute by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 1150, with House Amendment No. 6, and HS, as amended, pending, was placed on the Informal Calendar.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 37 - Corrections and State Institutions

COMMITTEE REPORTS

Committee on Administration and Accounts, Chairman Miller reporting:

Madam Speaker: Your Committee on Administration and Accounts, to which was referred **HR 1402**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 1402

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 14, 2004; and

WHEREAS, employees of the House of Representatives are designated and funded in House Bill No. 1012, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that the Missouri House of Representatives, Ninety-second General Assembly, may employ for the period between May 14, 2004, and January 5, 2005, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

Committee on Communications, Energy and Technology, Chairman Rector reporting:

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **SCS SB 1250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 788**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SB 1000**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 1304**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **SCS SB 1078**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **SB 1086**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **SCS SB 1235**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **SB 1299**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **SB 1320**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **SB 1083**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Homeland Security and Veterans Affairs, Chairman Jackson reporting:

Madam Speaker: Your Committee on Homeland Security and Veterans Affairs, to which was referred **HB 957**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SB 1249**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1195**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 1243**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 952**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1302**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 842**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Retirement, Chairman Smith (118) reporting:

Madam Speaker: Your Committee on Retirement, to which was referred **SB 1242**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Senior Security, Chairman Portwood reporting:

Madam Speaker: Your Committee on Senior Security, to which was referred **SS SS SCS SB 1371**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 859**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 1253**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 881**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 1702**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Tax Policy, to which was referred **SB 1285**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 870**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 1259**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Madam Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SB 966**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1080, as amended**, and has taken up and passed **HCS SB 1080, as amended**.

MESSAGE FROM THE GOVERNOR

April 27, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
SECOND REGULAR SESSION
92nd GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304 entitled:

AN ACT

To repeal sections 355.176, 408.040, 508.010, 508.040, 508.070, 508.120, 510.263, 516.105, 537.035, 537.067, 538.205, 538.210, 538.220, and 538.225, RSMo, and to enact in lieu thereof sixteen new sections relating to claims for damages and the payment thereof.

I disapprove of Conference Committee Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304. As I stated last year in my veto of SB 280, if HB 1304 were signed into law, it would represent a fundamental shift of civil procedural burdens from the tortfeasor to the injured party. While HB 1304 does address some legitimate medical malpractice concerns such as reversing the *Scott* decision, it fails to sufficiently and fairly balance the interests of injured parties and defendants in all other types of personal injury cases. The majority of its provisions would create inappropriately high barriers for legitimate claims of injury. My reasons for disapproval are as follows:

I. HB 1304 does not include medical liability insurance reform.

I have repeatedly called on the General Assembly to address medical liability insurance reform in a meaningful manner. HB 1304 fails to do that. Real insurance reform would include at a minimum: (a) adoption of the California system, ensuring the public can examine and comment upon large malpractice rate increases and that the state can block them; (b) easing the current hardships that physicians face in obtaining coverage by allowing them to electronically apply for insurance policies with every writer in the state at no cost; and (c) requiring insurers to give physicians and other healthcare providers reasonable notice about rate increases and nonrenewals so that they can make arrangements for alternative coverage.

II. HB 1304 goes far beyond addressing the rising costs of medical liability premiums.

I have stated from the beginning of this debate that I will only consider a bill that is limited to medical malpractice liability reform. The General Assembly presents HB 1304 as a solution to the rising costs of medical malpractice insurance premiums, but its heart and soul are five provisions that would unfairly benefit all tortfeasors, not merely health care providers. The provisions of the bill concerning joint and several liability, collateral source, venue, pre- and post-judgment interest, and punitive damages combine to impose draconian restrictions on the legal rights of legitimate plaintiffs. The principal beneficiaries of these restrictions would not be doctors, but large corporate interests seeking to protect their bottom line at the expense of injured plaintiffs.

To cite but one example of the excesses of this bill, HB 1304 would make Missouri's venue law the most one-sided in the nation. Historically, it has been viewed as the right of the injured party to choose the venue within prescribed rules. Defendants then have the ability to make limited challenges to the site of venue. Under HB 1304, for injuries occurring within the State of Missouri venue would be limited to the judicial circuit where the injury occurred. This choice for venue is extraordinary in that the location of the injury may have no connection to the convenience of either the plaintiff or defendant. For example, a Kirksville resident injured

in Joplin would be required to litigate the claim in Joplin, even if the tortfeasor were also a Kirksville resident. To further confuse the issue, venue for out-of-state injuries under this bill would be determined based on residency. By treating in-state and out-of-state injuries differently, the General Assembly has created a substantial constitutional question as to equal protection.

III. HB 1304 would increase lawsuits against health care providers.

The likely result of this bill, if it became law, is perverse: more doctors becoming defendants in more lawsuits. HB 1304 limits recovery of non-economic damages to four hundred thousand dollars, regardless of the number of defendants. While I support limiting non-economic damages, HB 1304 foolishly applies the caps to any other party that is a defendant in a lawsuit brought against a healthcare provider or that is a defendant in any lawsuit that arises out of the rendering of or failure to render healthcare services. This provision clearly encourages corporate defendants to bring third-party lawsuits against health care providers. When a non-medical defendant is sued, it is in the best interest of that defendant, if at all possible, to bring a cross claim against a health care provider. By drawing a healthcare provider into a suit, the limitation caps would apply to the non-health care provider as well. An example of this would be if a semi-tractor trailer were involved in an accident with an auto. If the auto driver is injured and is given medical attention at a nearby hospital, it is in the best interest of the trucking company to claim that at least part of the driver's injuries were caused by negligent health care at the hospital. By drawing the health care provider in the suit through a cross claim, the trucking company can potentially enjoy the cap limitations.

IV. Missouri needs to take more meaningful steps to solve the medical insurance crisis.

The legislature has failed to act on insurance reform or real medical liability reform for over a year, and continues that failure with this bill. My administration has been taking extraordinary steps to help physicians obtain necessary coverage at the most affordable rates available and we will continue to do so.

The Missouri Department of Insurance (MDI) is expediting the licensing of qualified new insurers. Missouri has licensed nine new insurers to write coverage for physicians and surgeons - an unusual influx of insurers into this market, which has serious difficulties attracting investment and expanding nationwide.

Today, ten companies officially report to MDI that they are actively writing new Missouri physicians who apply, up from five in January 2003. Another large hospital chain's "captive" insurer is just beginning to write private doctors who are "on staff" at its facilities, but not directly employed.

MDI has determined that physicians in some specialties cannot obtain coverage without grave difficulties, and state insurance Director Scott Lakin activated the Missouri Medical Malpractice Joint Underwriting Association to begin writing policies. The JUA expects to make that coverage available for any physician in the June 2004 renewal cycle.

I also established a 15-member Commission on Patient Safety, which is to report its recommendations by July 1 on how to reduce the rate of bad outcomes and medical errors in the state.

Finally, much of physicians' consternation about medical malpractice rates involves the squeeze on doctors between rising insurance costs and flat or declining income, particularly because they have agreed to steep insurance company discounts to their services. Many HMOs and other insurers have failed to make timely payments to physicians. I signed into law in 2002 a "prompt pay" law, and MDI began fining violators up to \$100,000 each in 2003. Another eight such exams are almost completed. Such fines and ongoing exams have sent a warning signal to other insurers and HMOs that the state will act unless they pay physicians promptly, as required by Missouri law.

While these measures are important, they should not obscure the central fact: this legislature has consistently failed to pass real medical liability reform and meaningful insurance reform. Instead, they have passed a politically-motivated gift to corporate interests that is more likely to harm the health care community than provide any relief.

For all of the above-stated reasons for disapproval, I am returning Conference Committee Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1304 without my approval.

Respectfully submitted,
/s/ Bob Holden
Governor

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, April 28, 2004.

COMMITTEE MEETINGS

BUDGET

Wednesday, April 28, 2004, 8:00 a.m. Hearing Room 3.

Fiscal review. Possible Executive session.

Other bills that may be assigned or referred to committee for fiscal review.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 28, 2004, Senate Lounge upon morning adjournment.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 28, 2004, 8:00 p.m. House Lounge.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 29, 2004, 8:00 a.m. Senate Lounge.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 29, 2004, Senate Lounge upon afternoon adjournment.

EDUCATION

Wednesday, April 28, 2004, Hearing Room 3 upon morning adjournment.

Public hearings to be held on: SCR 37, HB 1698, HR 1547

Executive session will be held on: SCR 37

JOINT COMMITTEE ON CORRECTIONS

Monday, May 3, 2004, 12:00 p.m. Hearing Room 7.

Status of Chillicothe Correctional Center; Report from the Department of Corrections;

Report from Design & Construction on JCCC, Randy Allen; Committee tour schedule.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 29, 2004, 8:00 a.m. Hearing Room 7.

2nd Quarter Meeting.

JUDICIARY

Wednesday, April 28, 2004, 12:00 p.m. Hearing Room 1.

Executive session on other bills may occur.

Public hearings to be held on: HB 1689, HB 1743, SB 807

Executive session will be held on: HB 1342, HB 870, SB 883,
SB 1211, SCS SB 799, SCS SB 1240

LOCAL GOVERNMENT

Wednesday, April 28, 2004, House Chamber side gallery upon morning adjournment.

Executive session will be held on: SB 1329

LOCAL GOVERNMENT

Thursday, April 29, 2004, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1724, SS SCS SB 1183, SB 1166

SMALL BUSINESS

Wednesday, April 28, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 1739

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, April 28, 2004, House Chamber side gallery upon morning adjournment.

Executive session.

TAX POLICY

Wednesday, April 28, 2004, House Chamber side gallery upon morning adjournment.

Executive session may be held.

Public hearing to be held on: SCS SB 837

TRANSPORTATION AND MOTOR VEHICLES

Wednesday, April 28, 2004, 12:00 p.m. Hearing Room 7.

Public hearings to be held on: HB 1746, SCS SBs 1233, 840 & 1043

Executive session will be held on: HB 1663, HB 1283, HB 1715, HB 1688,
HB 1690, HB 1746, SCS SB 710, SCS SB 1262

HOUSE CALENDAR

FIFTY-NINTH DAY, WEDNESDAY, APRIL 28, 2004

HOUSE BILLS FOR SECOND READING

HB 1752 through HB 1754

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HCS HB 1181 & 1719 - Selby (105)
- 14 HB 1548 - Crawford (117)
- 15 HB 881 - Bruns (113)
- 16 HCS HB 957 - Cunningham (145)
- 17 HCS HB 1702 - Thompson (72)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 1599, HSA 1 for HA 1, HA 1 and HS, pending - Ervin (35)
- 2 HCS HB 1150, HA 6 and HS, as amended, pending - May (149)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1099, (Budget 4-21-04) - Reinhart (34)
- 2 HB 1109 - Crawford (117)
- 3 HS HB 1339 - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)

(4/26/04)

- 1 HCS SS SB 732 - Johnson (47)
- 2 HCS SB 884 - Lager (4)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 HCS SCS SB 1106, E.C. - Schaaf (28)
- 8 HCS SCS SB 1093 - Hanaway (87)
- 9 HCS SCS SB 1091 - Parker (12)
- 10 SB 1055 - Johnson (47)
- 11 HCS SB 1012, E.C. - Baker (123)
- 12 SCS SB 992 - Mayer (159)
- 13 SCS SB 956 - Wilson (119)
- 14 SB 951 - Threlkeld (109)
- 15 HCS SCS SBs 942, 850 & 841, E.C. - Goodman (132)
- 16 HCS SCS SB 945 and SB 803 and SB 1257, E.C. - Moore (20)
- 17 SCS SB 901, HCA 1 - Townley (112)
- 18 SB 899 - Dusenberg (54)
- 19 HCS SB 824 - Schlottach (111)
- 20 HCS SCS SB 782 - Johnson (47)
- 21 HCS SB 769, E.C. - Emery (126)
- 22 SCS SB 767 - Cunningham (145)
- 23 SCS SB 757, HCA 1 - Cooper (120)
- 24 SB 1130 - Deeken (114)
- 25 SCS SB 1172 - Fares (91)

(4/28/04)

- 1 SCS SB 788, E.C. - Goodman (132)
- 2 SB 842, E.C. - Wood (62)
- 3 SCS SB 859 - Stefanick (93)
- 4 SCS SB 952 - Johnson (47)
- 5 SCS SB 1078 - Luetkemeyer (115)
- 6 SB 1083 - Schaaf (28)
- 7 SB 1086 - Pearce (121)
- 8 SCS SB 1195 - Byrd (94)
- 9 SCS SB 1235 - Luetkemeyer (115)
- 10 HCS SB 1242 - Wilson (42)
- 11 SB 1243 - Byrd (94)
- 12 SB 1249 - Dempsey (18)
- 13 SCS SB 1250 - Rector (124)
- 14 SCS SB 1253 - Wright (137)
- 15 HCS SB 1259 - Taylor (68)

- 16 SB 1285 - Cooper (120)
- 17 HCS SB 1299 - Luetkemeyer (115)
- 18 SB 1302, E.C. - Morris (138)
- 19 SCS SB 1304 - Lembke (85)
- 20 SB 1320 - Luetkemeyer (115)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SS SCS SB 1099 - Dempsey (18)
- 3 SB 932 - Wilson (130)
- 4 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 5 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 6 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 7 HCS SCS SB 1160 - Johnson (47)
- 8 SS SS SCS SB 715 - Johnson (47)
- 9 HCS SS SCS SB 968 and SCS SB 969, (Budget 4-26-04), E.C. - Baker (123)
- 10 HCS SCS SB 1038, (Budget 4-26-04) - Luetkemeyer (115)
- 11 HCS SS SCS SB 1081 - Pratt (55)
- 12 HCS SCS SB 1365 - Jackson (89)
- 13 HCS SB 870 - Pearce (121)
- 14 SB 966 - Mayer (159)
- 15 HCS SS SB 1000 - Mayer (159)
- 16 HCS SS SS SCS SB 1371 - Threlkeld (109)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SCS HS HCS HB 1002, as amended - Bearden (16)
- 3 SCS HS HCS HB 1003 - Bearden (16)
- 4 SCS HS HCS HB 1004 - Bearden (16)
- 5 SCS HS HCS HB 1005, as amended - Bearden (16)
- 6 SCS HS HCS HB 1006 - Bearden (16)
- 7 SCS HS HCS HB 1007, as amended - Bearden (16)
- 8 SCS HS HCS HB 1008 - Bearden (16)
- 9 SCS HS HCS HB 1009 - Bearden (16)
- 10 SCS HS HCS HB 1010, as amended - Bearden (16)
- 11 SCS HS HCS HB 1011, as amended - Bearden (16)
- 12 SCS HS HCS HB 1012, as amended - Bearden (16)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

HOUSE RESOLUTIONS

- 1 HR 6, (4-22-04, Page 1197) - Schaaf (28)
- 2 HR 1402, (4-27-04) - Miller (133)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

FIFTY-NINTH DAY, WEDNESDAY, APRIL 28, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we are instructed this morning by Your Word, which says, "I know the plans I have for you, plans to prosper you and not to harm you, plans to give you hope and a future." We take this moment to thank You for Your established plans which gives us hope for our future. May we yield our hearts to these plans and purposes as we establish beneficial laws that lead to economic change and a contented populace.

May the well-being of our state be first and foremost in our thoughts and discussions throughout this day.

Provide rest for our soul and strength for our bodies that we might finish this Session well.

To You be the glory, both now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brittaney Stone, Kelsi Gause, Mikal Farley, Daniel Seiler, Chelsea Kenney, Crystal Hemphill, Melissa Whiteside, Keaton Paylor, Kari Salmon, Kourtney Robinson, Blake Beauchamp, Chris Geier, Emily Haskins, Katie Lucarz, Sloane Bowman, Shanese Weaver, Katherine Clayborne, Crystal Frost, Devin Legrone, Lenora Brown, Brendan Richter, Shelby Henry, Steven Reiff, Kaitlin Tinnin, Nikki Pursley, Amanda Foster, Jared Maring, Marcella Hamilton, Isabel Campbell and Jess Grommet.

The Journal of the fifty-eighth day was approved as corrected.

Representative Lager assumed the Chair.

Speaker Hanaway resumed the Chair.

SPECIAL RECOGNITION

The Lincoln University Women's Track and Field Team was introduced by Representatives Bruns, Wilson (42), Hubbard, Haywood, Walton and Luetkemeyer and recognized for being the

2004 NCAA Division II Indoor Track National Title winners and for taking first place at the 2003 NCAA Division II Outdoor National Championships.

The Seventh Annual House Employee Appreciation Day was held and employees were recognized for their years of service. Outstanding Employees of the Year were Julie Mealy and Donna Gentzsch.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2216
through
House Resolution No. 2243 - Representative Baker
House Resolution No. 2244
and
House Resolution No. 2245 - Representative Hanaway
House Resolution No. 2246 - Representative Ransdall
House Resolution No. 2247 - Representative Hobbs
House Resolution No. 2248 - Representative Crowell
House Resolution No. 2249 - Representative Jackson
House Resolution No. 2250 - Representative Donnelly
House Resolution No. 2251 - Representative Quinn
House Resolution No. 2252
through
House Resolution No. 2265 - Representative Black
House Resolution No. 2266
through
House Resolution No. 2279 - Representative Hobbs
House Resolution No. 2280
through
House Resolution No. 2293 - Representative Portwood
House Resolution No. 2294 - Representative Shoemaker
House Resolution No. 2295
and
House Resolution No. 2296 - Representative Wilson (42), et al
House Resolution No. 2297 - Representative Goodman
House Resolution No. 2298
through
House Resolution No. 2302 - Representative Skaggs
House Resolution No. 2303
through
House Resolution No. 2308 - Representative Yates
House Resolution No. 2309
and
House Resolution No. 2310 - Representative Whorton

HOUSE CONCURRENT RESOLUTION

Representative Parker, et al, offered House Concurrent Resolution No. 39.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1755, introduced by Representative Parker, relating to advancing minority-owned businesses.

SECOND READING OF HOUSE BILLS

HB 1752 through **HB 1754** were read the second time.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **SS SCS SB 968 and SCS SB 969** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 1599, with House Substitute Amendment No. 1 for House Amendment No. 1, House Amendment No. 1, and HS, pending, relating to a Joint Committee on Waste, Fraud and Abuse, was taken up by Representative Ervin.

Representative Bruns assumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart

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Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 070

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 004

Avery	Holand	Johnson 61	Salva
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On motion of Representative Lembke, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 090

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brooks	Brown
Byrd	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Daus	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	Goodman
Guest	Haywood	Hobbs	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Kratky	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Swinger
Taylor	Threlkeld	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wright	Yates	Madam Speaker

NOES: 062

Abel	Barnitz	Bishop	Bland	Bringer
Burnett	Carnahan	Corcoran	Curls	Darrough
Davis 122	Donnelly	Dougherty	George	Graham
Green	Hampton	Harris 110	Harris 23	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Wood	Yaeger
Young	Zweifel			

PRESENT: 002

Campbell	Seigfreid
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ABSENT WITH LEAVE: 009

Avery	Boykins	Bruns	Crawford	Holand
Salva	Sutherland	Townley	Walton	

Speaker Pro Tem Jetton assumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wilson 119
Wilson 130	Wood	Wright	Yates	

NOES: 067

Abel	Barnitz	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Hampton

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Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bishop	Graham	Green	Hunter
Kratky	Parker	Salva	Thompson	Wallace
Wasson	Madam Speaker			

Representative Johnson (90) requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Ervin, **HS HB 1599, as amended**, was adopted.

On motion of Representative Ervin, **HS HB 1599, as amended**, was ordered perfected and printed.

HCS HB 1150, with House Amendment No. 6, and HS, as amended, pending, relating to ethics, was taken up by Representative May.

Representative Walker moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Selby offered **House Amendment No. 7**.

House Amendment No. 7 was withdrawn.

Representative Selby offered **House Amendment No. 8**.

Representative Goodman raised a point of order that **House Amendment No. 8** goes beyond the scope of the underlying substitute.

The Chair ruled the point of order well taken.

Representative Byrd offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bill No. 1150, Section 105.487, Page 19, Line 15, by inserting the following after all of said line:

“105.489. The financial interest statements required to be filed pursuant to the provisions of sections 105.483 to 105.492, other than pursuant to subsection 4 of section 105.485, shall be filed with the appropriate filing officer or officers. For the purpose of sections 105.483 to 105.492, the term "filing officer" is defined as:

(1) In the case of state elected officials and candidates for such office, and all other state officials and employees, the filing officer is the commission;

(2) In the case of judges of courts of law, the filing officer shall be the clerk of the supreme court. Financial interest statements filed by judges shall be made available for public inspection unless otherwise provided by supreme court rule;

(3) In the case of persons holding elective office in any political subdivision and candidates for such offices, and in the case of all other officers or employees of a political subdivision, the filing officer shall be the commission;

(4) In the case of all other persons required to file financial interest statements for which no filing officer is designated, the filing officer shall be the commission.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Johnson (47) raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order untimely.

On motion of Representative Byrd, **House Amendment No. 9** was adopted.

Representative Roark offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bill No. 1150, Page 41, Section 130.011, Line 12, by adding after the words “This Section.” the following:

“Any Representative elected to serve as Speaker of the House, Speaker Pro Tem, Majority or Minority Floor Leader, Majority or Minority Assistant Floor Leader, Majority or Minority Whip, Majority or Minority Caucus Chair, and any State Senator elected to serve as President Pro Tem, Majority or Minority Floor Leader, Majority or Minority Assistant Floor Leader, Majority or Minority Whip, or Majority or Minority Secretary, shall not qualify as a candidate for Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General while holding any of the above stated positions within the General Assembly.”.

Representative Sager offered **House Amendment No. 1 to House Amendment No. 10**.

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Substitute for House Committee Substitute for House Bill No. 1150, Section 130.011, by inserting at end of said amendment:

“Section B. Because of the need to avert fiscal hardship of this state, the repeal and reenactment of section 130.011 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety,

and is hereby declared to be an emergency act within the meaning of the constitution, and repeal and reenactment of section 130.011 of this act shall be in full force and effect upon its passage and approval.”.

House Amendment No. 10, with House Amendment No. 1 pending, was withdrawn.

On motion of Representative May, **HS HCS HB 1150, as amended**, was adopted.

On motion of Representative May, **HS HCS HB 1150, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

HCS SCS SB 1160, relating to a Prescription Drug Repository Program, was taken up by Representative Johnson (47).

Representative Johnson (47) offered **HS HCS SCS SB 1160**.

Representative Bruns resumed the Chair.

Speaker Hanaway resumed the Chair.

HCS SCS SB 1160, with HS, pending, was laid over.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

- SCS HS HCS HB 1003:** Representatives Bearden, Lager, Stevenson, Harris (23) and Fraser.
- SCS HS HCS HB 1004:** Representatives Bearden, Lager, Icet, Muckler and Zweifel.
- SCS HS HCS HB 1005:** Representatives Bearden, Lager, Icet, Villa and Liese.
- SCS HS HCS HB 1006:** Representatives Bearden, Lager, Icet, Whorton and Kuessner.
- SCS HS HCS HB 1007:** Representatives Bearden, Lager, Icet, Lowe and Boykins.
- SCS HS HCS HB 1008:** Representatives Bearden, Lager, Icet, Barnitz and Wildberger.
- SCS HS HCS HB 1009:** Representatives Bearden, Lager, Stevenson, Ward and Meadows.
- SCS HS HCS HB 1010:** Representatives Bearden, Lager, Stevenson, Riback Wilson (25) and Johnson (61).
- SCS HS HCS HB 1011:** Representatives Bearden, Lager, Icet, Campbell and Sanders Brooks.
- SCS HS HCS HB 1012:** Representatives Bearden, Lager, Stevenson, LeVota and Donnelly.

MOTION

Representative Crowell moved that House Rule 23 be suspended in order for members of the House Conference Committees to meet on **SCS HS HCS HB 1003, SCS HS HCS HB 1004, SCS HS HCS HB 1005, as amended, SCS HS HCS HB 1006, SCS HS HCS HB 1007, as amended,**

SCS HS HCS HB 1008, SCS HS HCS HB 1009, SCS HS HCS HB 1010, as amended, SCS HS HCS HB 1011, as amended, and SCS HS HCS HB 1012, as amended, on April 28, 2004 only.

Which motion was adopted by the following vote:

AYES: 120

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brooks	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Icet
Jackson	Jetton	Johnson 47	Jolly	Kelly 144
Kelly 36	Kingery	Kratky	Lager	Lawson
Lembke	Lipke	Lowe	Luetkemeyer	Marsh
May	McKenna	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Shoemyer
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Wagner	Wallace	Ward	Wasson
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Wood
Wright	Yaeger	Young	Zweifel	Madam Speaker

NOES: 028

Bringer	Burnett	Corcoran	Darrough	Daus
Davis 122	Donnelly	Harris 110	Harris 23	Henke
Johnson 61	Johnson 90	Jones	Kuessner	LeVota
Liese	Meadows	Muckler	Schoemehl	Selby
Skaggs	Spreng	Swinger	Walker	Walsh
Whorton	Wildberger	Witte		

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Hampton	Haywood	Hubbard	King
Mayer	Ransdall	Reinhart	Sager	Salva
Smith 118	Vogt	Walton	Willoughby	Yates

On motion of Representative Crowell, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Bruns.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2311 - Representative Goodman
House Resolution No. 2312 - Representative Selby
House Resolution No. 2313
through
House Resolution No. 2326 - Representative Hanaway
House Resolution No. 2327 - Representative Wright, et al
House Resolution No. 2328 - Representative Hubbard
House Resolution No. 2329 - Representatives Dougherty and Harris (110)
House Resolution No. 2330 - Representative Wilson (119)
House Resolution No. 2331 - Representative Lipke

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 58, introduced by Representatives Zweifel, Page, Skaggs, Donnelly and Bishop, relating to the budget control fund.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1756, introduced by Representative Sager, relating to unauthorized use of traffic signal preemption systems.

HB 1757, introduced by Representative Sager, relating to fraudulently stopping payment of an instrument.

HB 1758, introduced by Representative Sager, relating to civil liability for teachers.

HB 1759, introduced by Representative Sager, relating to teachers and administrative employees.

HB 1760, introduced by Representative Sager, relating to the Missouri abortion reduction program within the department of health and senior services.

Speaker Hanaway resumed the Chair.

There was a moment of silent prayer in observance of Workers' Memorial Day.

Representative Bruns resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SCS SB 1160, with HS, pending, relating to the Prescription Drug Repository Program, was again taken up by Representative Johnson (47).

Representative Willoughby offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1160, Page 6, Section 196.981, Line 8, by inserting after all of said line the following:

“3. The state of Missouri shall only be liable for a cause of action in negligence brought under the prescription drug repository program for matters relating to the donating, accepting, or dispensing of prescription drugs. However, in no event shall such liability exceed the limits provided in section 537.610, RSMo.”.

Representative Willoughby moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Johnson (47), **HS HCS SCS SB 1160** was adopted.

On motion of Representative Johnson (47), **HS HCS SCS SB 1160** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	SchAAF	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer

Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Black	Boykins	Hampton	Salva
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Representative Brunns declared the bill passed.

HCS SS SCS SB 1081, relating to residential construction, was taken up by Representative Pratt.

Representative Pratt offered **HS HCS SS SCS SB 1081**.

Representative Pratt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081, Page 11, Section 431.306, Line 3, by inserting after all of said line the following: “**or**”.

On motion of Representative Pratt, **House Amendment No. 1** was adopted.

Representative Pratt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081, Page 19, Section 431.315, Line 24, by inserting immediately after all of said line the following:

“**4. The provisions of sections 431.300 to 431.315 shall not apply to an action brought by an insurer, subrogated to the rights of a claimant, if payment was made by the insurer pursuant to a claim under an insurance policy.**”.

On motion of Representative Pratt, **House Amendment No. 2** was adopted.

Speaker Pro Tem Jetton resumed the Chair.

Representative Bivins offered **House Amendment No. 3**.

Representative Yates raised a point of order that **House Amendment No. 3** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Daus offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081, Page 14, Section 431.306, Line 15, by inserting after “**defects**” the following:

“**including defective garage doors**”; and

Further amend said section and page, Line 16, by inserting after “**defects**” the following:

“**including defective garage doors**”.

On motion of Representative Daus, **House Amendment No. 4** was adopted.

Representative Purgason assumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Yates	Madam Speaker		

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122

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Donnelly	El-Amin	Fraser	George	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 002

Dougherty	Whorton
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ABSENT WITH LEAVE: 005

Avery	Graham	Hampton	Salva	Shoemaker
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On motion of Representative Pratt, **HS HCS SS SCS SB 1081, as amended**, was adopted.

On motion of Representative Pratt, **HS HCS SS SCS SB 1081, as amended**, was read the third time and passed by the following vote:

AYES: 138

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Guest	Harris 23
Haywood	Henke	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Kelly 144	Kelly 36	King	Kingery
Kratky	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 018

Campbell	Cunningham 86	El-Amin	Fraser	Green
Harris 110	Hilgemann	Hoskins	Johnson 61	Johnson 90
Kuessner	Lowe	Selby	Villa	Walker
Whorton	Wilson 42	Witte		

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brooks	Graham	Hampton	Jones
Salva	Shoemaker			

Representative Purgason declared the bill passed.

HCS SS SCS SB 1099, relating to tax credits, was taken up by Representative Dempsey.

Representative Dempsey offered **HS HCS SS SCS SB 1099**.

Representative Smith (118) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1099, Section 135.805, Page 20, Line 11, by inserting the following after all of said line:

“Any business existing in an enterprise zone under section 135.215 on the effective date of this section shall recertify for the abatement and exemption. Effective August 28, 2004, any abatement or exemption provided for in section 135.215 on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, “work stoppage” shall not include strike or lockout or time necessary to retool a plan, and “major reduction in force” is defined as a seventy-five percent or greater reduction. Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.”.

On motion of Representative Smith (118), **House Amendment No. 1** was adopted.

Representative Selby offered **House Amendment No. 2**.

Representative Yates raised a point of order that **House Amendment No. 2** goes beyond the scope of the underlying bill.

Representative Purgason requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Dempsey, **HS HCS SS SCS SB 1099, as amended**, was adopted.

On motion of Representative Dempsey, **HS HCS SS SCS SB 1099, as amended**, was read the third time and passed by the following vote:

AYES: 151

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Jones

PRESENT: 000

ABSENT WITH LEAVE: 011

Abel	Avery	El-Amin	Graham	Hampton
Lowe	Marsh	Salva	Shoemaker	Thompson
Wilson 42				

Representative Purgason declared the bill passed.

Speaker Hanaway resumed the Chair.

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HB 1021**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Financial Services, Chairman Luetkemeyer reporting:

Madam Speaker: Your Committee on Financial Services, to which was referred **SCS SB 974**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **SCS SB 1188**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Financial Services, to which was referred **SCS SB 1215**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 1279**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SCS SB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 758**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 1062**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1114**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1329**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1391**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 962**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 1181**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 1274**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **SS SCS SB 960**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 772**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 894**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 920**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 810**, entitled:

An act to repeal section 258.100, RSMo, and to enact in lieu thereof one new section relating to immunity from civil liability for certain landowners.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 1023**, entitled:

An act to repeal section 570.300, RSMo, and to enact in lieu thereof two new sections relating to the criminal use of audiovisual recording devices, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1034**, entitled:

An act to amend chapter 407, RSMo, by adding thereto six new sections relating to vacation clubs, with penalty provisions.

In which the concurrence of the House is respectfully requested.

SUPPLEMENTAL CALENDAR (April 28, 2004)

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1021 - Bearden

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, April 29, 2004.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative John Quinn, District 7, hereby state and affirm that my vote as recorded on Page 1233 of the House Journal for Tuesday, April 27, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 28th day of April 2004.

/s/ John Quinn
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 28th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 29, 2004, 8:00 a.m. Senate Lounge.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 29, 2004, Senate Lounge upon afternoon adjournment.

ETHICS

Monday, May 3, 2004, House Chamber side gallery upon evening adjournment.
2004 Caucus. Executive session may follow.

JOINT COMMITTEE ON CORRECTIONS

Monday, May 3, 2004, 12:00 p.m. Hearing Room 7.
Status of Chillicothe Correctional Center; Report from the Department of Corrections;
Report from Design & Construction on JCCC, Randy Allen; Committee tour schedule.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 29, 2004, 8:00 a.m. Hearing Room 7.
2nd Quarter Meeting.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 7.
2nd Quarter Meeting.

LOCAL GOVERNMENT

Thursday, April 29, 2004, 8:30 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 1724, SS SCS SB 1183, SB 1166

TAX POLICY

Thursday, April 29, 2004, House Chamber side gallery upon morning adjournment.
Executive session will be held on: HB 1712, SCS SB 988

TRANSPORTATION AND MOTOR VEHICLES

Thursday, April 29, 2004, House Chamber side gallery upon morning adjournment.

CANCELLED

Executive session will be held on: SCS SBs 1233, 840 & 1043

HOUSE CALENDAR

SIXTIETH DAY, THURSDAY, APRIL 29, 2004

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 58

HOUSE BILLS FOR SECOND READING

HB 1755 through HB 1760

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1021 - Bearden (16)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HCS HB 1181 & 1719 - Selby (105)
- 14 HB 1548 - Crawford (117)
- 15 HB 881 - Bruns (113)
- 16 HCS HB 957 - Cunningham (145)
- 17 HCS HB 1702 - Thompson (72)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1099, (Budget 4-21-04) - Reinhart (34)
- 2 HB 1109 - Crawford (117)
- 3 HS HB 1339 - Cunningham (86)
- 4 HS HB 1599 - Ervin (35)
- 5 HS HCS HB 1150 - May (149)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 810
- 2 SS SB 1023
- 3 SS SCS SB 1034

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)

(4/26/04)

- 1 HCS SS SB 732 - Johnson (47)
- 2 HCS SB 884 - Lager (4)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 HCS SCS SB 1106, E.C. - Schaaf (28)
- 8 HCS SCS SB 1093 - Hanaway (87)
- 9 HCS SCS SB 1091 - Parker (12)
- 10 SB 1055 - Johnson (47)
- 11 HCS SB 1012, E.C. - Baker (123)
- 12 SCS SB 992 - Mayer (159)
- 13 SCS SB 956 - Wilson (119)
- 14 SB 951 - Threlkeld (109)
- 15 HCS SCS SBs 942, 850 & 841, E.C. - Goodman (132)
- 16 HCS SCS SB 945 and SB 803 and SB 1257, E.C. - Moore (20)
- 17 SCS SB 901, HCA 1 - Townley (112)
- 18 SB 899 - Dusenberg (54)
- 19 HCS SB 824 - Schlottach (111)

- 20 HCS SCS SB 782 - Johnson (47)
- 21 HCS SB 769, E.C. - Emery (126)
- 22 SCS SB 767 - Cunningham (145)
- 23 SCS SB 757, HCA 1 - Cooper (120)
- 24 SB 1130 - Deeken (114)
- 25 SCS SB 1172 - Fares (91)

(4/28/04)

- 1 SCS SB 788, E.C. - Goodman (132)
- 2 SB 842, E.C. - Wood (62)
- 3 SCS SB 859 - Stefanick (93)
- 4 SCS SB 952 - Johnson (47)
- 5 SCS SB 1078 - Richard (129)
- 6 SB 1083 - Schaaf (28)
- 7 SB 1086 - Pearce (121)
- 8 SCS SB 1195 - Lager (4)
- 9 SCS SB 1235 - Luetkemeyer (115)
- 10 HCS SB 1242 - Wilson (42)
- 11 SB 1243 - Byrd (94)
- 12 SB 1249 - Dempsey (18)
- 13 SCS SB 1250 - Rector (124)
- 14 SCS SB 1253 - Dempsey (18)
- 15 HCS SB 1259 - Taylor (68)
- 16 SB 1285 - Cooper (120)
- 17 HCS SB 1299 - Luetkemeyer (115)
- 18 SB 1302, E.C. - Morris (138)
- 19 SCS SB 1304 - Lembke (85)
- 20 SB 1320 - Luetkemeyer (115)

(4/29/04)

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberger (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)
- 13 HCS SB 1391 - Black (161)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SB 932 - Wilson (130)
- 3 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 4 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 5 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 6 SS SS SCS SB 715 - Johnson (47)
- 7 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 8 HCS SCS SB 1038, (Budget 4-26-04) - Luetkemeyer (115)
- 9 HCS SCS SB 1365 - Jackson (89)
- 10 HCS SB 870 - Pearce (121)
- 11 SB 966 - Mayer (159)
- 12 HCS SS SB 1000 - Mayer (159)
- 13 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 14 SB 920 - Cooper (155)
- 15 HCS SS SCS SB 960 - Cooper (120)
- 16 SCS SB 1062 - Johnson (47)
- 17 SCS SB 1155 - Dempsey (18)
- 18 HCS SS SCS SB 1279 - Schaaf (28)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SCS HS HCS HB 1002, as amended - Bearden (16)
- 3 SCS HS HCS HB 1003 - Bearden (16)
- 4 SCS HS HCS HB 1004 - Bearden (16)
- 5 SCS HS HCS HB 1005, as amended - Bearden (16)
- 6 SCS HS HCS HB 1006 - Bearden (16)
- 7 SCS HS HCS HB 1007, as amended - Bearden (16)
- 8 SCS HS HCS HB 1008 - Bearden (16)
- 9 SCS HS HCS HB 1009 - Bearden (16)
- 10 SCS HS HCS HB 1010, as amended - Bearden (16)
- 11 SCS HS HCS HB 1011, as amended - Bearden (16)
- 12 SCS HS HCS HB 1012, as amended - Bearden (16)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

HOUSE RESOLUTIONS

- 1 HR 6, (4-22-04, Page 1197) - Schaaf (28)
- 2 HR 1402, (4-27-04, Page 1239) - Miller (133)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTIETH DAY, THURSDAY, APRIL 29, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Holy God, You are the Creator of all; You created mankind in Your image and likeness, and gave mankind dominion over all else that You created.

O Lord, our work is a work of dominion, of caring for our State and its people. In these last weeks of this 2004 Session, give us the ability to do what is best for our State. In decision-making, show us how to protect the basic human rights of all the people: food, clothing, shelter, education, access to healthcare.

By Your grace may we share the reverence and respect You have for every human life and for every person. As we go about our work, give us the ability to plan and negotiate until we provide help for those who are truly unable to provide for themselves.

Give us the wisdom to be effective in calling those who are able to responsibly provide for their own families and of assisting their neighbors in need, through taxation and in direct care.

We pray to You who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adam Stenshoel, Justin Rychlewski, Lucas Miederhoff, Samantha Rosner, Hunter Shantz, Ben Koch, Brooke Evans, Gunnar Knudtson, Lacey Morrison, Morgan Morrison, Tanner Cornelius Chrisler, Rebecca Pfleger Dowd, Emily Laur Beck, Caleb Charles Parker, Paige Catherine Allen, Jackson Spencer Andre, Erik John Morr, Anna Christina Yates, Ryan Keller, Taylor Davis, Kassidie Lawrence, Quentin Nichols, Kainan Deprow, Christopher Scott, Jennifer Scott, Kenneth Roller, Whitney Roller, Wendy Swaringin, Cearra Williams, Lauren Law, Chris Smith, Ashley Freeman, Megan Henry and Matt Tille.

The Journal of the fifty-ninth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2332

through

House Resolution No. 2336 - Representative Engler

- House Resolution No. 2337 - Representatives Zweifel and Spreng
- House Resolution No. 2338 - Representative Cunningham (145)
- House Resolution No. 2339 - Representative Hoskins
- House Resolution No. 2340 - Representative Schlottach
- House Resolution No. 2341 - Representative Fraser
- House Resolution No. 2342 - Representative Self
- House Resolution No. 2343
through
- House Resolution No. 2356 - Representative Hanaway
- House Resolution No. 2357
through
- House Resolution No. 2370 - Representative Schoemehl
- House Resolution No. 2371 - Representative Guest
- House Resolution No. 2372 - Representative Whorton
- House Resolution No. 2373 - Representative Pearce
- House Resolution No. 2374
through
- House Resolution No. 2376 - Representative Wilson (119)
- House Resolution No. 2377
and
- House Resolution No. 2378 - Representative Haywood
- House Resolution No. 2379
through
- House Resolution No. 2381 - Representative Lager
- House Resolution No. 2382 - Representative Schaaf
- House Resolution No. 2383
and
- House Resolution No. 2384 - Representatives Pearce and Smith (118)
- House Resolution No. 2385 - Representative Kingery
- House Resolution No. 2386 - Representative Witte
- House Resolution No. 2387
through
- House Resolution No. 2389 - Representative Baker
- House Resolution No. 2390 - Representative Richard, et al
- House Resolution No. 2391 - Representative Witte
- House Resolution No. 2392 - Representative Skaggs
- House Resolution No. 2393 - Representative Witte
- House Resolution No. 2394 - Representative LeVota
- House Resolution No. 2395
and
- House Resolution No. 2396 - Representative Fares
- House Resolution No. 2397
through
- House Resolution No. 2399 - Representative Miller

House Resolution No. 2400

through

House Resolution No. 2403 - Representative Shoemaker

House Resolution No. 2404 - Representative Portwood, et al

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 40, introduced by Representative Rupp, relating to the designation of October fifteenth as Pregnancy and Infant Loss Remembrance Day.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1761, introduced by Representative Cunningham (145), relating to contributions to the department of elementary and secondary education.

HB 1762, introduced by Representative Cunningham (145), relating to highway signs for senior citizen centers.

HB 1763, introduced by Representative Witte, relating to sales taxes for transportation purposes in certain cities.

HB 1764, introduced by Representative Page, relating to failure to exhibit proof of insurance card.

HB 1765, introduced by Representatives Zweifel, Page, Skaggs, Donnelly and Bishop, relating to lobbyist reports.

HB 1766, introduced by Representative Burnett, relating to medical malpractice insurance.

HB 1767, introduced by Representative Page, relating to criminally negligent storage of a firearm.

HB 1768, introduced by Representative Sager, relating to a pregnancy prevention program in public schools.

HB 1769, introduced by Representative Carnahan, relating to absentee voting.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 58 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1755 through **HB 1760** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 810, **SS SB 1023** and **SS SCS SB 1034** were read the second time.

MOTION

Representative Crowell moved that Rule 23 be suspended in order for the members of the House Conference Committees to meet on **SCS HS HCS HB 1004**, **SCS HS HCS HB 1006**, **SCS HS HCS HB 1007**, as amended, **SCS HS HCS HB 1008**, **SCS HS HCS HB 1010**, as amended, and **SCS HS HCS HB 1011**, as amended, on Thursday, April 29, 2004.

Which motion was adopted by the following vote:

AYES: 129

Abel	Angst	Baker	Bean	Bearden
Bishop	Bivins	Black	Bland	Bough
Boykins	Brooks	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Ice	Jackson
Jetton	Johnson 47	Jolly	Jones	Kelly 144
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schoemehl	Seigfreid	Self	Shoemaker
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Wagner	Wallace	Walsh
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wood	Wright
Yates	Young	Zweifel	Madam Speaker	

NOES: 022

Bringer	Burnett	Daus	Donnelly	El-Amin
Harris 110	Harris 23	Haywood	Henke	Johnson 61
Johnson 90	LeVota	Meadows	Muckler	Sager
Selby	Swinger	Vogt	Walton	Wilson 42
Witte	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Barnitz	Behnen	Dougherty	Hampton
Hunter	Kelly 36	Schneider	Shoemyer	Skaggs
Smith 118	Walker			

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 1021, relating to appropriations, was taken up by Representative Bearden.

Representative Bearden offered **HS HB 1021**.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1021, Page 1, Section 21.010, Lines 3-5, by deleting the following language: “, provided that project labor agreements are not required as part of any construction renovation or improvement project”; and

Further amend said bill, Page 2, Section 21.020, Lines 3-4, by deleting the following language: “, provided that project labor agreements are not required”; and

Further amend said bill, Page 2, Section 21.025, Line 3, by deleting the following language: “, provided that project labor agreements are not required”.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

On motion of Representative Bearden, **HS HB 1021, as amended**, was adopted.

On motion of Representative Bearden, **HS HB 1021, as amended**, was ordered perfected and printed.

HOUSE RESOLUTION

HR 1402, relating to House employees, was taken up by Representative Miller.

On motion of Representative Miller, **HR 1402** was adopted.

Representative Viebrock assumed the Chair.

THIRD READING OF HOUSE BILL

HB 1109, relating to motorcycle helmets, was taken up by Representative Crawford.

On motion of Representative Crawford, **HB 1109** was read the third time and passed by the following vote:

AYES: 105

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Black	Bough	Bringer
Brown	Bruns	Burnett	Cooper 120	Crawford
Crowell	Cunningham 145	Davis 122	Davis 19	Deeken
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Goodman	Green	Guest
Harris 110	Henke	Hobbs	Hunter	Jackson
Jetton	Johnson 47	Johnson 90	Kelly 144	Kelly 36
King	Kingery	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
May	Mayer	McKenna	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schlottach	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Townley	Viebrock	Villa
Wagner	Wallace	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yates	Young	Madam Speaker

NOES: 051

Bishop	Bivins	Bland	Brooks	Byrd
Campbell	Carnahan	Cooper 155	Corcoran	Cunningham 86
Curls	Darrough	Daus	Dempsey	Donnelly
El-Amin	Fares	Fraser	George	Graham
Haywood	Hilgemann	Holand	Hoskins	Hubbard
Icet	Johnson 61	Jolly	Jones	Kratky
Lowe	Meadows	Meiners	Muckler	Page
Schaaf	Schneider	Schoemehl	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Threlkeld	Vogt
Walker	Walsh	Wilson 25	Wilson 42	Yaeger
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	Hampton	Harris 23	Marsh
Salva	Wildberger			

Representative Viebrock declared the bill passed.

SUPPLEMENTAL CALENDAR (April 29, 2004)

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HS HB 1021 - Bearden

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HS HB 1021, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **HS HB 1021** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery
MarshBoykins
Vogt

Cooper 120

Dempsey

Hampton

Representative Viebrock declared the bill passed.

THIRD READING OF HOUSE BILLS

HS HB 1339, relating to informed consent for abortions, was taken up by Representative Cunningham (86).

Representative Nieves assumed the Chair.

Representative Viebrock resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates				

NOES: 066

Abel	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
El-Amin	Fraser	George	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Wagner	Walker	Walsh

Walton	Ward	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel
Madam Speaker				

PRESENT: 004

Dougherty	Kuessner	Seigfreid	Whorton
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ABSENT WITH LEAVE: 007

Avery	Barnitz	Dusenberg	Hampton	Kratky
Marsh	Vogt			

On motion of Representative Cunningham (86), **HS HB 1339** was read the third time and passed by the following vote:

AYES: 120

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Bringer	Brown
Bruns	Burnett	Byrd	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	George	Goodman	Green
Guest	Harris 110	Henke	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Threlkeld
Townley	Viebrock	Villa	Wagner	Wallace
Walsh	Ward	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yaeger	Yates	Madam Speaker

NOES: 037

Abel	Bishop	Bland	Boykins	Brooks
Campbell	Carnahan	Curls	Darrough	Donnelly
Fares	Fraser	Graham	Harris 23	Haywood
Hilgemann	Hoskins	Hubbard	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Lowe	Sager
Skaggs	Thompson	Walker	Walton	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Young	Zweifel			

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 005

Avery

Barnitz

Hampton

Marsh

Vogt

Representative Viebrock declared the bill passed.

HS HB 1599, relating to a Joint Committee on Waste, Fraud and Abuse, was taken up by Representative Ervin.

Speaker Hanaway resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 067

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
El-Amin	Fraser	George	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Wagner	Walker	Walsh	Walton	Wildberger

Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 008

Avery	Bivins	Boykins	Dougherty	Hampton
Marsh	Vogt	Ward		

On motion of Representative Ervin, **HS HB 1599** was read the third time and passed by the following vote:

AYES: 131

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Black	Bland	Bough
Bringer	Brooks	Brown	Bruns	Byrd
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Guest	Harris 23	Hilgemann
Hobbs	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Jolly	Kelly 144	King
Kingery	Kratky	Lager	Lawson	Lembke
Liese	Lipke	Luetkemeyer	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Villa	Vogt	Walker	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 021

Barnitz	Campbell	Fraser	Green	Harris 110
Haywood	Henke	Hoskins	Johnson 61	Jones
Kuessner	LeVota	Lowe	McKenna	Selby
Shoemyer	Spreng	Wagner	Whorton	Wilson 25
Wilson 42				

PRESENT: 002

Johnson 90	Kelly 36
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ABSENT WITH LEAVE: 009

Avery	Bivins	Boykins	Burnett	Dougherty
Hampton	Holand	Marsh	Viebrock	

Speaker Hanaway declared the bill passed.

Representative Purgason assumed the Chair.

HS HCS HB 1150, relating to ethics, was taken up by Representative May.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Black	Bough	Brown	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 066

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	El-Amin
Fraser	George	Graham	Green	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Hubbard	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Walker	Walsh	Walton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 009

Avery	Bivins	Boykins	Burnett	Dougherty
Hampton	Marsh	Wagner	Ward	

Speaker Hanaway resumed the Chair.

On motion of Representative May, **HS HCS HB 1150** was read the third time and passed by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Bringer	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

Brooks	Jones	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 009

Avery
Hampton

Bivins
Johnson 61

Boykins
Marsh

Burnett
Smith 118

Dougherty

Speaker Hanaway declared the bill passed.

HOUSE RESOLUTION

HR 6, relating to the Missouri Constitution Preamble, was taken up by Representative Schaaf.

Representative Schaaf offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Resolution No. 6, Page 1197, Journal of the House, Line 6, by inserting after the word “Missouri” the word “**Constitution**”; and

Further amend same resolution and page, Lines 11 to 14, by deleting all of said lines and inserting in lieu thereof the following:

“**Now, therefore, be it resolved** that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, direct that in harmony with the recommendations of the Capitol Commission, the Preamble to the Missouri Constitution be prominently displayed in the House Chamber, and the costs associated with the creation and installation be paid for by donations.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 1** was adopted.

Representative St. Onge assumed the Chair.

On motion of Representative Schaaf, **HR 6, as amended**, was adopted.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1911 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 38 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1185 - Workforce Development and Workplace Safety
HB 1722 - Education
HB 1750 - Budget
HB 1751 - Workforce Development and Workplace Safety
HB 1752 - Job Creation and Economic Development
HB 1753 - Education
HB 1754 - Financial Services
HB 1755 - Special Committee on Urban Issues
HB 1757 - Financial Services

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 1279 - Budget (Fiscal Note)
SS SB 1023 - Crime Prevention and Public Safety
SS SCS SB 1034 - Tourism and Cultural Affairs
SB 1076 - Judiciary

COMMITTEE REPORTS

Committee on Corrections and State Institutions, Chairman Kelly (144) reporting:

Madam Speaker: Your Committee on Corrections and State Institutions, to which was referred **SCS SB 1044**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **SCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SENATE CONCURRENT RESOLUTION NO. 37

WHEREAS, the best way to improve Missouri's schools is to:

- (1) Reinforce local control of schools;
- (2) Demand greater accountability by state and local administrators which will reduce waste and ensure more money goes to classrooms and less to bureaucrats;
- (3) Reduce state and federal regulations that cause the misallocation of resources to fund the wrong priorities and eliminate unnecessary and burdensome regulations that stifle teachers and school districts from improving education;
- (4) Support our teachers by looking for new, innovated and practical ideas that the General Assembly can address to assist teachers in the classroom:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Teacher Support, Regulatory Reduction and Accountability"; and

BE IT FURTHER RESOLVED that the Committee shall be composed of ten members, with five members of the Senate to be appointed by the President Pro Tem of the Senate, and five members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and no more than six members of such committee shall be from the same political party; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the rules and policies concerning the administrative burdens for teachers; identify opportunities that will allow for greater flexibility, innovation, and freedom to improve teaching opportunities and the quality of a classroom education; identify tax credits, resources, support services and funding for those support services and review classroom technology, including replacement and upgrade of computer hardware and software; review classroom liability and discipline issues facing teachers and look at ways to improve alternative schools; and solicit extensive testimony and opinions from teachers on what additional tools, support systems, legislation, training and funding they need to improve Missouri's educational system; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2005.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 781**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 799**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 883**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1247**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Retirement, Chairman Smith (118) reporting:

Madam Speaker: Your Committee on Retirement, to which was referred **HB 1480**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Special Committee on Urban Issues, Chairman Bland reporting:

Madam Speaker: Your Special Committee on Urban Issues, to which was referred **SCS SB 1045**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted:

SENATE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 47

WHEREAS, Missouri has a long tradition of providing funding for multimodal transportation services; and

WHEREAS, multimodal transportation services are a tool for economic development, mobility and congestion relief; and

WHEREAS, Missouri citizens directly benefit from multimodal transportation services; and

WHEREAS, recent state budget woes have forced personnel cuts, the elimination of promotional funds, and the implementation of a \$5 ticket surcharge to supplement insufficient state appropriations for passenger rail services; and

WHEREAS, other multimodal transportation services, such as MetroLink and OATS, face financial shortfalls during tight budgetary times; and

WHEREAS, mass transit systems are looking into fare increases in order to balance their budgets; and

WHEREAS, total state multimodal program funding for aviation, passenger rail, waterways, and transit has decreased from approximately \$25 million in fiscal year 2000 to \$16 million in fiscal year 2004; and

WHEREAS, there is a strong desire to stabilize and improve multimodal transportation services in Missouri in order to alleviate and enhance the mobility of people, goods, and freight; and

WHEREAS, according to the U.S. Department of Transportation, a multimodal transportation approach offers the promise of:

1. Lowering overall transportation costs by allowing each mode to be used for the portion of the trip to which it is best suited;
2. Increasing economic productivity and efficiency, thereby enhancing the nation's global competitiveness;
3. Reducing congestion and the burden on overstressed infrastructure components;
4. Generating higher returns from public and private infrastructure investments;
5. Improving mobility for the elderly, disabled, isolated, and economically disadvantaged; and
6. Reducing energy consumption and contributing to improved air quality and environmental conditions.

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Multimodal Transportation Services"; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of five members of the Senate appointed by the President Pro Tem of the Senate, of which at least two shall be members of the minority party; and five members of the House of Representatives, appointed by the Speaker of the House of Representatives, of which at least two shall be members of the minority party; and

BE IT FURTHER RESOLVED that the Committee shall make a comprehensive analysis of Missouri's multimodal transportation services and shall:

- (1) Create a long-term vision for state supported multimodal transportation services in Missouri;
- (2) Formulate multimodal transportation policies and strategies that will place Missouri in a proactive position with regard to Missouri's future transportation challenges and opportunities;
- (3) Explore how Missouri can better regulate and connect the various modes of transportation into a united system;
- (4) Provide recommendations of how to reduce dependence on state general revenue support by increasing efficiencies, exploring dedicated funding sources, and by establishing local community support requirements;
- (5) Provide recommendations of how to establish public/private partnerships with railroads to complete infrastructure improvements that will reduce track congestion and improve on-time performance of trains;
- (6) Provide recommendations of how to increase utilization of multimodal services through the stabilization of services, increased promotional efforts, and service improvements; and
- (7) Review and explore any other issues the Committee deems relevant to the issue of improving multimodal transportation services; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the appointed members of the joint interim committee be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 15, 2005, and that the authority of said Committee shall terminate on said date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1096**, entitled:

An act to amend chapter 700, RSMo, by adding thereto fifteen new sections relating to regulating the installation of manufactured homes, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1153**, entitled:

An act to amend chapter 252, RSMo, by adding thereto one new section relating to hand fishing.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1196**, entitled:

An act to repeal sections 320.106, 320.111, 320.116, 320.126, 320.131, 320.136, 320.146, 320.151, and 320.161, RSMo, and to enact in lieu thereof nine new sections relating to fireworks regulations, with penalty provisions.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1002**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1002.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1002.
3. That the attached Conference Committee Substitute for House Bill No. 1002, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Bryan Stevenson
/s/ Rep. Theodore (Ted) Hoskins
/s/ Rep. Vicki Walker

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1003**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1003 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1003.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1003.
3. That the attached Conference Committee Substitute for House Bill No. 1003, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Bryan Stevenson
/s/ Rep. Jeff Harris
/s/ Rep. Barbara Fraser

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m., Monday, May 3, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-ninth Day, Wednesday, April 28, 2004, Page 1258, Line 31, by inserting immediately after the word “on”, the following:

SCS HS HCS HB 1002,

AFFIDAVITS

I, State Representative Larry Crawford, District 117, hereby state and affirm that my vote as recorded on Page 1255 of the House Journal for Wednesday, April 28, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Larry Crawford
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Barbara Fraser, District 83, hereby state and affirm that my vote as recorded on Page 1265 of the House Journal for Wednesday, April 28, 2004 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Barbara Fraser
State Representative

[illegible]

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Cathy Jolly, District 45, hereby state and affirm that my vote as recorded on Page 1255 of the House Journal for Wednesday, April 28, 2004 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Cathy Jolly
State Representative

[illegible]

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Annie Reinhart, District 34, hereby state and affirm that my vote as recorded on Page 1259 of the House Journal for Wednesday, April 28, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Annie Reinhart
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Yvonne S. Wilson, District 42, hereby state and affirm that my vote as recorded on Page 1266 of the House Journal for Wednesday, April 28, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Yvonne S. Wilson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Philip Willoughby, District 33, hereby state and affirm that my vote as recorded on Page 1259 of the House Journal for Wednesday, April 28, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Philip Willoughby
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Yvonne S. Wilson, District 42, hereby state and affirm that my vote as recorded on Page 1266 of the House Journal for Wednesday, April 28, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Yvonne S. Wilson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Brian Yates, District 56, hereby state and affirm that my vote as recorded on Page 1259 of the House Journal for Wednesday, April 28, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of April 2004.

/s/ Brian Yates
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of April in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ETHICS

Monday, May 3, 2004, House Chamber side gallery upon evening adjournment.

2004 Caucus. Executive session may follow.

JOINT COMMITTEE ON CORRECTIONS

Monday, May 3, 2004, 12:00 p.m. Hearing Room 7.

Status of Chillicothe Correctional Center; Report from the Department of Corrections;

Report from Design & Construction on JCCC, Randy Allen; Committee tour schedule.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

JUDICIARY

Monday, May 3, 2004, 2:30 p.m. Hearing Room 5.

Executive session will be held on: SB 1211

HOUSE CALENDAR

SIXTY-FIRST DAY, MONDAY, MAY 3, 2004

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 40

HOUSE BILLS FOR SECOND READING

HB 1761 through HB 1769

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)

- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HCS HB 1181 & 1719 - Selby (105)
- 14 HB 1548 - Crawford (117)
- 15 HB 881 - Bruns (113)
- 16 HCS HB 957 - Cunningham (145)
- 17 HCS HB 1702 - Thompson (72)
- 18 HCS HB 1480 - Rupp (13)

HOUSE BILL FOR THIRD READING

HCS HB 1099, (Budget 4-21-04) - Reinhart (34)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 1096
- 2 SB 1153
- 3 SCS SB 1196

SENATE CONCURRENT RESOLUTION

SCR 37, (4-29-04) - Engler (106)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)

(4/26/04)

- 1 HCS SS SB 732 - Johnson (47)
- 2 HCS SB 884 - Lager (4)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 HCS SCS SB 1106, E.C. - Schaaf (28)
- 8 HCS SCS SB 1093 - Hanaway (87)

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- 9 HCS SCS SB 1091 - Parker (12)
- 10 SB 1055 - Johnson (47)
- 11 HCS SB 1012, E.C. - Baker (123)
- 12 SCS SB 992 - Mayer (159)
- 13 SCS SB 956 - Wilson (119)
- 14 SB 951 - Threlkeld (109)
- 15 HCS SCS SBs 942, 850 & 841, E.C. - Goodman (132)
- 16 HCS SCS SB 945 and SB 803 and SB 1257, E.C. - Moore (20)
- 17 SCS SB 901, HCA 1 - Townley (112)
- 18 SB 899 - Dusenberg (54)
- 19 HCS SB 824 - Schlottach (111)
- 20 HCS SCS SB 782 - Johnson (47)
- 21 HCS SB 769, E.C. - Emery (126)
- 22 SCS SB 767 - Cunningham (145)
- 23 SCS SB 757, HCA 1 - Cooper (120)
- 24 SB 1130 - Deeken (114)
- 25 SCS SB 1172 - Fares (91)

(4/28/04)

- 1 SCS SB 788, E.C. - Goodman (132)
- 2 SB 842, E.C. - Wood (62)
- 3 SCS SB 859 - Stefanick (93)
- 4 SCS SB 952 - Johnson (47)
- 5 SCS SB 1078 - Richard (129)
- 6 SB 1083 - Schaaf (28)
- 7 SB 1086 - Pearce (121)
- 8 SCS SB 1195 - Lager (4)
- 9 SCS SB 1235 - Luetkemeyer (115)
- 10 HCS SB 1242 - Wilson (42)
- 11 SB 1243 - Byrd (94)
- 12 SB 1249 - Dempsey (18)
- 13 SCS SB 1250 - Rector (124)
- 14 SCS SB 1253 - Dempsey (18)
- 15 HCS SB 1259 - Taylor (68)
- 16 SB 1285 - Cooper (120)
- 17 HCS SB 1299 - Luetkemeyer (115)
- 18 SB 1302, E.C. - Morris (138)
- 19 SCS SB 1304 - Lembke (85)
- 20 SB 1320 - Luetkemeyer (115)

(4/29/04)

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)

- 3 SB 894 - Dusenberg (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)
- 13 HCS SB 1391 - Black (161)

(5/03/04)

- 1 SB 781 - Byrd (94)
- 2 HCS SCS SB 799 - Rupp (13)
- 3 SB 883 - Lager (4)
- 4 SCS SB 1044 - Pearce (121)
- 5 HCS SCS SB 1247 - Byrd (94)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SB 932 - Wilson (130)
- 3 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 4 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 5 HCS SCS SBs 1144, 919 & 874, E.C. - Schlottach (111)
- 6 SS SS SCS SB 715 - Johnson (47)
- 7 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 8 HCS SCS SB 1038, (Budget 4-26-04) - Luetkemeyer (115)
- 9 HCS SCS SB 1365 - Jackson (89)
- 10 HCS SB 870 - Pearce (121)
- 11 SB 966 - Mayer (159)
- 12 HCS SS SB 1000 - Mayer (159)
- 13 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 14 SB 920 - Cooper (155)
- 15 HCS SS SCS SB 960 - Cooper (120)
- 16 SCS SB 1062 - Johnson (47)
- 17 SCS SB 1155 - Dempsey (18)
- 18 HCS SS SCS SB 1279, (Budget 4-29-04) - Schaaf (28)
- 19 SCS SB 1045 - Haywood (71)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 CCR SCS HS HCS HB 1002, as amended - Bearden (16)
- 3 CCR SCS HS HCS HB 1003 - Bearden (16)
- 4 SCS HS HCS HB 1004 - Bearden (16)
- 5 SCS HS HCS HB 1005, as amended - Bearden (16)
- 6 SCS HS HCS HB 1006 - Bearden (16)
- 7 SCS HS HCS HB 1007, as amended - Bearden (16)
- 8 SCS HS HCS HB 1008 - Bearden (16)
- 9 SCS HS HCS HB 1009 - Bearden (16)
- 10 SCS HS HCS HB 1010, as amended - Bearden (16)
- 11 SCS HS HCS HB 1011, as amended - Bearden (16)
- 12 SCS HS HCS HB 1012, as amended - Bearden (16)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-FIRST DAY, MONDAY, MAY 3, 2004

The House met pursuant to adjournment.

Representative Nieves in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, this question is asked in Your Word, "Why do the nations rage? Why do the people waste their time with futile plans?" May this not be true with us. May our plans be devised wisely and bear fruit rather than be hastily devised and ineffective.

Guide us through the remaining days of this Session into careful planning that we might have sufficiency in the coming years. Continue to direct us from the stagnant pool of past ideas to the watercourse of inspired thought.

May our work today be concise and productive: a joy to behold.

And now may Your grace rest and abide with us all....

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixtieth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2405 - Representative Burnett
House Resolution No. 2406 - Representative Nieves
House Resolution No. 2407 - Representative Sander
House Resolution No. 2408
through
House Resolution No. 2414 - Representative Willoughby
House Resolution No. 2415 - Representative Lager
House Resolution No. 2416
and
House Resolution No. 2417 - Representative Townley
House Resolution No. 2418 - Representative Ruestman
House Resolution No. 2419
through
House Resolution No. 2432 - Representative Stefanick

House Resolution No. 2433	
and	
House Resolution No. 2434	- Representative Deeken
House Resolution No. 2435	
and	
House Resolution No. 2436	- Representative Crawford
House Resolution No. 2437	
through	
House Resolution No. 2451	- Representative Bough
House Resolution No. 2452	- Representative Stevenson
House Resolution No. 2453	- Representative Rector
House Resolution No. 2454	
through	
House Resolution No. 2456	- Representative Carnahan
House Resolution No. 2457	
and	
House Resolution No. 2458	- Representative Fraser
House Resolution No. 2459	
and	
House Resolution No. 2460	- Representatives Lowe and Black
House Resolution No. 2461	- Representative Jones
House Resolution No. 2462	- Representative Baker
House Resolution No. 2463	- Representative Haywood
House Resolution No. 2464	- Representative LeVota
House Resolution No. 2465	- Representative Behnen
House Resolution No. 2466	- Representative Stevenson
House Resolution No. 2467	- Representative Graham
House Resolution No. 2468	- Representative Pratt
House Resolution No. 2469	- Representatives Lowe and Black
House Resolution No. 2470	- Representative Harris (110)
House Resolution No. 2471	- Representative Wallace
House Resolution No. 2472	- Representative Purgason
House Resolution No. 2473	- Representative Nieves
House Resolution No. 2474	- Representatives Ruestman and Wood
House Resolution No. 2475	- Representative Roark
House Resolution No. 2476	- Representative Hunter
House Resolution No. 2477	- Representative Boykins
House Resolution No. 2478	- Representative Sager
House Resolution No. 2479	- Representative Parker
House Resolution No. 2480	- Representative Riback Wilson (25)
House Resolution No. 2481	- Representatives Lowe and Black
House Resolution No. 2482	- Representative St. Onge
House Resolution No. 2483	- Representative Pratt
House Resolution No. 2484	- Representative Cunningham (86)
House Resolution No. 2485	- Representative Johnson (61)

House Resolution No. 2486 - Representative Wilson (42)
House Resolution No. 2487 - Representative Hanaway
House Resolution No. 2488 - Representative Bearden
House Resolution No. 2489 - Representative Townley
House Resolution No. 2490 - Representatives Stefanick and Sutherland
House Resolution No. 2491 - Representative Ward
House Resolution No. 2492 - Representative El-Amin
House Resolution No. 2493 - Representative Davis (122)
House Resolution No. 2494 - Representative Jetton
House Resolution No. 2495 - Representative Donnelly
House Resolution No. 2496 - Representative Wilson (119)
House Resolution No. 2497 - Representative Bough
House Resolution No. 2498 - Representative Threlkeld
House Resolution No. 2499 - Representative Sutherland
House Resolution No. 2500 - Representative Villa
House Resolution No. 2501 - Representative Wilson (119)
House Resolution No. 2502 - Representative Hanaway
House Resolution No. 2503 - Representative Bearden
House Resolution No. 2504 - Representative Henke
House Resolution No. 2505
through
House Resolution No. 2510 - Representative Black
House Resolution No. 2511 - Representative Schneider

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 40 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1761 through **HB 1769** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 1096, **SB 1153** and **SCS SB 1196** were read the second time.

MOTION

Representative Crowell moved that Rule 23 be suspended in order for members of the House Conference Committees on **SCS HS HCS HB 1006**, **SCS HS HCS HB 1008** and **SCS HS HCS HB 1011, as amended**, to meet May 3, 2004, while the House is in session.

Which motion was adopted by the following vote:

AYES: 126

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Brown	Bruns	Byrd
Campbell	Cooper 120	Cooper 155	Corcoran	Crowell
Cunningham 145	Cunningham 86	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
Goodman	Green	Guest	Hobbs	Holand
Hoskins	Hunter	Icet	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Wright	Yates	Young	Zweifel
Madam Speaker				

NOES: 024

Bringer	Burnett	Curls	Darrough	Daus
Donnelly	George	Harris 110	Harris 23	Haywood
Henke	Johnson 61	Johnson 90	LeVota	Meadows
Muckler	Selby	Shoemyer	Skaggs	Spreng
Swinger	Walker	Witte	Yaeger	

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Avery	Bivins	Brooks	Carnahan	Crawford
El-Amin	Graham	Hampton	Hilgemann	Hubbard
Schoemehl	Seigfreid			

THIRD READING OF SENATE BILL

SB 932, relating to employment, was taken up by Representative Wilson (130).

Representative Wilson (130) offered **HS SB 932**.

Representative Hunter offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 932, Page 55, Section 287.957, Line 25 of said page, by inserting after all of said line the following:

"288.050. 1. Notwithstanding the other provisions of this law, a claimant shall be disqualified for waiting week credit or benefits until after the claimant has earned wages for work insured pursuant to the unemployment compensation laws of any state equal to ten times the claimant's weekly benefit amount if the deputy finds:

(1) That the claimant has left work voluntarily without good cause attributable to such work or to the claimant's employer; except that the claimant shall not be disqualified:

(a) If the deputy finds the claimant quit such work for the purpose of accepting a more remunerative job which the claimant did accept and earn some wages therein;

(b) If the claimant quit temporary work to return to such claimant's regular employer; or

(c) If the deputy finds the individual quit work, which would have been determined not suitable in accordance with paragraphs (a) and (b) of subdivision (3) of this subsection, within twenty-eight calendar days of the first day worked; or

(d) As to initial claims filed after December 31, 1988, if the claimant presents evidence supported by competent medical proof that she was forced to leave her work because of pregnancy, notified her employer of such necessity as soon as practical under the circumstances, and returned to that employer and offered her services to that employer as soon as she was physically able to return to work, as certified by a licensed and practicing physician, but in no event later than ninety days after the termination of the pregnancy. An employee shall have been employed for at least one year with the same employer before she may be provided benefits pursuant to the provisions of this paragraph;

(2) That the claimant has retired pursuant to the terms of a labor agreement between the claimant's employer and a union duly elected by the employees as their official representative or in accordance with an established policy of the claimant's employer; or

(3) That the claimant failed without good cause either to apply for available suitable work when so directed by the deputy, or to accept suitable work when offered the claimant, either through the division or directly by an employer by whom the individual was formerly employed, or to return to the individual's customary self-employment, if any, when so directed by the deputy.

(a) In determining whether or not any work is suitable for an individual, the division shall consider, among other factors and in addition to those enumerated in paragraph (b) of this subdivision, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training, the individual's experience and prior earnings, the individual's length of unemployment, the individual's prospects for securing work in the individual's customary occupation, the distance of available work from the individual's residence and the individual's prospect of obtaining local work; except that, if an individual has moved from the locality in which the individual actually resided when such individual was last employed to a place where there is less probability of the individual's employment at such individual's usual type of work and which is more distant from or otherwise less accessible to the community in which the individual was last employed, work offered by the individual's most recent employer if similar to that which such individual performed in such individual's last employment and at wages, hours, and working conditions which are substantially similar to those prevailing for similar work in such community, or any work which the individual is capable of performing at the wages prevailing for such work in the locality to which the individual has moved, if not hazardous to such individual's health, safety or morals, shall be deemed suitable for the individual;

(b) Notwithstanding any other provisions of this law, no work shall be deemed suitable and benefits shall not be denied pursuant to this law to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

a. If the position offered is vacant due directly to a strike, lockout, or other labor dispute;

b. If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

c. If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

2. [Notwithstanding the other provisions of this law,] If a deputy finds that a claimant has been discharged for misconduct connected with the claimant's work, such claimant[, depending upon the seriousness of the misconduct as determined by the deputy according to the circumstances in each case,] shall be disqualified for waiting week credit or benefits [for not less than four nor more than sixteen weeks for which the claimant claims benefits and is otherwise eligible], **and no benefits shall be paid nor shall the cost of any benefits be charged against any employer for any**

period of employment within the base period until the claimant has earned wages for work insured under the unemployment laws of this state or any other state as prescribed in this section. In addition to the disqualification for benefits pursuant to this provision the division may in the more aggravated cases of misconduct, cancel all or any part of the individual's wage credits, which were established through the individual's employment by the employer who discharged such individual, according to the seriousness of the misconduct. A disqualification provided for pursuant to this subsection shall not apply to any week which occurs after the claimant has earned wages for work insured pursuant to the unemployment compensation laws of any state in an amount equal to eight times the claimant's weekly benefit amount. **Should a claimant be disqualified on a second or subsequent occasion within the base period or subsequent to the base period the claimant shall be required to earn wages in an amount equal to or in excess of eight times the claimant's weekly benefit amount for each disqualification, such additionally required wages shall run consecutively.**

3. [A pattern of] Absenteeism or tardiness may constitute misconduct regardless of whether the last incident alone [which results] **resulting** in the discharge constitutes misconduct.

4. Notwithstanding the provisions of subsection 1 of this section, a claimant may not be determined to be disqualified for benefits because the claimant is in training approved pursuant to section 236 of the Trade Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended), or because the claimant left work which was not "suitable employment" to enter such training. For the purposes of this subsection "suitable employment" means, with respect to a worker, work of a substantially equal or higher skill level than the worker's past adversely affected employment, and wages for such work at not less than eighty percent of the worker's average weekly wage as determined for the purposes of the Trade Act of 1974."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wilson (130) offered House Substitute Amendment No. 1 for House Amendment No. 1.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for Senate Bill No. 932, Page 55, Section 287.957, Line 25 of said page, by inserting after all of said line the following:

"288.050. 1. Notwithstanding the other provisions of this law, a claimant shall be disqualified for waiting week credit or benefits until after the claimant has earned wages for work insured pursuant to the unemployment compensation laws of any state equal to ten times the claimant's weekly benefit amount if the deputy finds:

(1) That the claimant has left work voluntarily without good cause attributable to such work or to the claimant's employer; except that the claimant shall not be disqualified:

(a) If the deputy finds the claimant quit such work for the purpose of accepting a more remunerative job which the claimant did accept and earn some wages therein;

(b) If the claimant quit temporary work to return to such claimant's regular employer; or

(c) If the deputy finds the individual quit work, which would have been determined not suitable in accordance with paragraphs (a) and (b) of subdivision (3) of this subsection, within twenty-eight calendar days of the first day worked; or

(d) As to initial claims filed after December 31, 1988, if the claimant presents evidence supported by competent medical proof that she was forced to leave her work because of pregnancy, notified her employer of such necessity as soon as practical under the circumstances, and returned to that employer and offered her services to that employer as soon as she was physically able to return to work, as certified by a licensed and practicing physician, but in no event later than ninety days after the termination of the pregnancy. An employee shall have been employed for at least one year with the same employer before she may be provided benefits pursuant to the provisions of this paragraph;

(2) That the claimant has retired pursuant to the terms of a labor agreement between the claimant's employer and a union duly elected by the employees as their official representative or in accordance with an established policy of the claimant's employer; or

(3) That the claimant failed without good cause either to apply for available suitable work when so directed by the deputy, or to accept suitable work when offered the claimant, either through the division or directly by an employer by whom the individual was formerly employed, or to return to the individual's customary self-employment, if any, when so directed by the deputy.

(a) In determining whether or not any work is suitable for an individual, the division shall consider, among other factors and in addition to those enumerated in paragraph (b) of this subdivision, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training, the individual's experience and prior earnings, the individual's length of unemployment, the individual's prospects for securing work in the individual's customary occupation, the distance of available work from the individual's residence and the individual's prospect of obtaining local work; except that, if an individual has moved from the locality in which the individual actually resided when such individual was last employed to a place where there is less probability of the individual's employment at such individual's usual type of work and which is more distant from or otherwise less accessible to the community in which the individual was last employed, work offered by the individual's most recent employer if similar to that which such individual performed in such individual's last employment and at wages, hours, and working conditions which are substantially similar to those prevailing for similar work in such community, or any work which the individual is capable of performing at the wages prevailing for such work in the locality to which the individual has moved, if not hazardous to such individual's health, safety or morals, shall be deemed suitable for the individual;

(b) Notwithstanding any other provisions of this law, no work shall be deemed suitable and benefits shall not be denied pursuant to this law to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

- a. If the position offered is vacant due directly to a strike, lockout, or other labor dispute;
- b. If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;
- c. If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

2. [Notwithstanding the other provisions of this law,] If a deputy finds that a claimant has been discharged for misconduct connected with the claimant's work, such claimant[, depending upon the seriousness of the misconduct as determined by the deputy according to the circumstances in each case,] shall be disqualified for waiting week credit or benefits [for not less than four nor more than sixteen weeks for which the claimant claims benefits and is otherwise eligible], **and no benefits shall be paid nor shall the cost of any benefits be charged against any employer for any period of employment within the base period until the claimant has earned wages for work insured under the unemployment laws of this state or any other state as prescribed in this section.** In addition to the disqualification for benefits pursuant to this provision the division may in the more aggravated cases of misconduct, cancel all or any part of the individual's wage credits, which were established through the individual's employment by the employer who discharged such individual, according to the seriousness of the misconduct. A disqualification provided for pursuant to this subsection shall not apply to any week which occurs after the claimant has earned wages for work insured pursuant to the unemployment compensation laws of any state in an amount equal to eight times the claimant's weekly benefit amount. **Should a claimant be disqualified on a second or subsequent occasion within the base period or subsequent to the base period the claimant shall be required to earn wages in an amount equal to or in excess of eight times the claimant's weekly benefit amount for each disqualification, such additionally required wages shall run consecutively. For the purpose of this chapter, a professionally administered and documented positive chemical test result for a controlled substance as defined under section 195.010, RSMo, or for blood alcohol content of eight-hundredths of one percent or more by weight of alcohol in the claimant's blood shall be deemed misconduct connected with work.**

3. [A pattern of] Absenteeism or tardiness may constitute misconduct regardless of whether the last incident alone [which results] **resulting** in the discharge constitutes misconduct.

4. Notwithstanding the provisions of subsection 1 of this section, a claimant may not be determined to be disqualified for benefits because the claimant is in training approved pursuant to section 236 of the Trade Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended), or because the claimant left work which was not "suitable employment" to enter such training. For the purposes of this subsection "suitable employment" means, with respect to a worker, work of a substantially equal or higher skill level than the worker's past adversely affected employment, and wages for such work at not less than eighty percent of the worker's average weekly wage as determined for the purposes of the Trade Act of 1974."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Morris offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Substitute for Senate Bill No. 932, Page 6, Section 288.050, Line 8 of said page, by inserting after the word "**work.**" the following:

"The employer shall have notified the employee of the employer's controlled substance and alcohol workplace policy by conspicuously posting the policy in the workplace, by including the policy in an employee handbook, or by a statement of such policy in a collective bargaining agreement governing employment of the employee. The policy shall state that a positive test result shall be deemed misconduct and may result in suspension or termination of employment. Use of a controlled substance as defined under section 195.010, RSMo, under, and in conformity with the lawful order of a healthcare practitioner shall not be deemed to be misconduct connected with work for the purposes of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Morris, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Wilson (130), **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 094

Angst	Baker	Bean	Bearden	Behnen
Bishop	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hampton	Harris 110	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
Kelly 36	King	Kingery	Lager	Lembke
Lipke	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Villa
Wallace	Wasson	Willoughby	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 058

Abel	Barnitz	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Corcoran	Curls

Darrough	Daus	Davis 122	Dougherty	Fraser
George	Graham	Green	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Jolly	Jones
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Sager	Salva	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 001

Ransdall

ABSENT WITH LEAVE: 010

Avery	Bivins	Carnahan	El-Amin	Hubbard
Johnson 61	Johnson 90	Luetkemeyer	Pratt	Schoemehl

Representative Hunter offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for Senate Bill No. 932, Page 20, Section 287.128, Line 11 of said page, by inserting after all of said line the following:

"(11) Knowingly organize, plan, or in any way participate in staged workplace accidents. Any person who violates the provisions of this subsection shall be guilty of a class D felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hunter, **House Amendment No. 2** was adopted by the following vote:

AYES: 117

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bough
Bringer	Brown	Bruns	Byrd	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Henke	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	Kelly 36	King	Kingery
Kuessner	Lager	Lawson	Lembke	LeVota
Lipke	Luetkemeyer	Marsh	May	Mayer
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	St. Onge

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Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Wagner	Wallace
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yates	Madam Speaker			

NOES: 039

Bland	Boykins	Brooks	Burnett	Campbell
Corcoran	Curls	Darrough	Daus	Fraser
George	Haywood	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kratky
Liese	Lowe	McKenna	Meadows	Muckler
Sager	Selby	Spreng	Thompson	Villa
Vogt	Walker	Walsh	Walton	Wilson 25
Wilson 42	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Cunningham 86	Dixon
El-Amin	Schoemehl			

Representative Cooper (155) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for Senate Bill No. 932, Page 9, Section 287.020, Line 7 of said page, by inserting after all of said line the following:

"17. "Objective relevant medical findings" in support of medical evidence are verifiable indications of injury or disease that may include, but are not limited to, limitation of range of motion, atrophy, muscle strength, and palpable muscle spasm. Objective relevant medical findings do not include physical findings or subjective responses to physical examinations that are not reproducible, measurable, or observable by diagnostic testing or examination. Objective relevant medical findings are those findings which cannot solely come under the voluntary control of the patient. Medical opinions addressing compensability and permanent impairment must be stated within a reasonable degree of medical certainty."; and renumber remaining subsections accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Hanaway assumed the Chair.

SB 932, with House Amendment No. 3, and HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 795, 972, 1128 & 1161**, entitled:

An act to repeal sections 49.272, 49.650, 50.515, 50.339, 50.740, 50.1110, 50.1140, 50.1250, 52.269, 52.271, 64.520, 64.805, 64.825, 67.402, 67.478, 67.481, 67.484, 67.487, 67.490, 67.493, 67.793, 67.799, 67.1706, 67.1754, 137.100, 137.720, 144.030, 144.615, 144.757, 144.759, 193.265, 221.070, 245.015, 245.060, 245.095, 246.305, 260.831, 304.010, 475.275, 479.020, 493.050, and 644.032, RSMo, and to enact in lieu thereof fifty-two new sections

relating to county government, with penalty provisions, a termination date for a certain section, and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 7, Senate Substitute Amendment No. 2 for Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16, Senate Amendment No. 17, Senate Amendment No. 18, Senate Amendment No. 19, Senate Amendment No. 20, Senate Amendment No. 21, Senate Amendment No. 23, Senate Amendment No. 1 to Senate Amendment No. 25, Senate Amendment No. 25, as amended, Senate Amendment No. 26, Senate Amendment No. 27, Senate Amendment No. 28, Senate Amendment No. 30 and Senate Amendment No. 31.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos 795, 972, 1128 & 1161, Page 115, Section 304.010, Line 21 of said page, by inserting after “speed.” the following:

“The maximum speed limit set by the county commission of any county of the second, third, or fourth classification for any road under the commission's jurisdiction shall not exceed fifty-five miles per hour if such road is properly marked by signs indicating such speed limit. If the county commission does not mark the roads with signs indicating the speed limit, the speed limit shall be fifty miles per hour.”.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 25, Section 67.799, Line 16, by inserting after the following:

“67.1401. 1. Sections 67.1401 to 67.1571 shall be known and may be cited as the “Community Improvement District Act”.

2. For the purposes of sections 67.1401 to 67.1571, the following words and terms mean:

(1) “Approval” or “approve”, for purposes of elections pursuant to sections 67.1401 to 67.1571, a simple majority of those qualified voters voting in the election;

(2) “Assessed value”, the assessed value of real property as reflected on the tax records of the county clerk of the county in which the property is located, or the collector of revenue if the property is located in a city not within a county, as of the last completed assessment;

(3) “Blighted area”, an area which:

(a) By reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use; or

(b) Has been declared blighted or found to be a blighted area pursuant to Missouri law including, but not limited to, chapter 353, RSMo, sections 99.800 to 99.865, RSMo, or sections 99.300 to 99.715, RSMo;

(4) “Board”, if the district is a political subdivision, the board of directors of the district, or if the district is a not-for-profit corporation, the board of directors of such corporation;

(5) “Director of revenue”, the director of the department of revenue of the state of Missouri;

(6) “District”, a community improvement district, established pursuant to sections 67.1401 to 67.1571;

(7) “Election authority”, the election authority having jurisdiction over the area in which the boundaries of the district are located pursuant to chapter 115, RSMo;

(8) “Municipal clerk”, the clerk of the municipality;

(9) "Municipality", any city located in a county of the first classification or second classification, **any unincorporated area that is located in any county with a charter form of government and with more than one million inhabitants**, any city not within a county and any county;

(10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a district to carry out any of its powers, duties or purposes or to refund outstanding obligations;

(11) "Owner", for real property, the individual or individuals or entity or entities who own the fee of real property or their legally authorized representative; for business organizations and other entities, the owner shall be deemed to be the individual which is legally authorized to represent the entity in regard to the district;

(12) "Per capita", one head count applied to each individual, entity or group of individuals or entities having fee ownership of real property within the district whether such individual, entity or group owns one or more parcels of real property in the district as joint tenants, tenants in common, tenants by the entirety or tenants in partnership;

(13) "Petition", a petition to establish a district as it may be amended in accordance with the requirements of section 67.1421;

(14) "Qualified voters",

(a) For purposes of elections for approval of real property taxes:

a. Registered voters; or

b. If no registered voters reside in the district, the owners of one or more parcels of real property which is to be subject to such real property taxes and is located within the district per the tax records for real property of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the thirtieth day prior to the date of the applicable election;

(b) For purposes of elections for approval of business license taxes or sales taxes:

a. Registered voters; or

b. If no registered voters reside in the district, the owners of one or more parcels of real property located within the district per the tax records for real property of the county clerk as of the thirtieth day before the date of the applicable election; and

(c) For purposes of the election of directors of the board, registered voters and owners of real property which is not exempt from assessment or levy of taxes by the district and which is located within the district per the tax records for real property of the county clerk, or the collector of revenue if the district is located in a city not within a county, of the thirtieth day prior to the date of the applicable election; and

(15) "Registered voters", persons who reside within the district and who are qualified and registered to vote pursuant to chapter 115, RSMo, pursuant to the records of the election authority as of the thirtieth day prior to the date of the applicable election."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 70, Section 67.2535, Line 16 of said page, by inserting after all of said line the following:

"70.225. 1. Notwithstanding the provisions of section 70.600, to the contrary, a centralized emergency dispatching system created by a joint municipal agreement pursuant to section 70.220, existing within a county of a the first classification with a charter form of government with more than one million inhabitants, may be considered a political subdivision for the purposes of sections 70.600 to 70.755, and employees of the centralized emergency dispatching system shall be eligible for membership in the Missouri local government employees' retirement system upon the centralized emergency dispatching system becoming an employer as defined in subdivision (11) of section 70.600.

2. Any political subdivision participating in a centralized emergency dispatching system granted membership pursuant to subsection 1 of this section, shall be subject to the delinquent recovery procedures pursuant to section 70.735, for any contribution payments due the system. Any political subdivision withdrawing from membership shall be subject to payments for any unfunded liabilities existing for its past and current employees. Any political subdivision becoming a new member shall be subject to the same terms and conditions then existing including liabilities in proportion to all participating political subdivisions."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 25, Section 67.799, Line 16 of said page, by inserting immediately after said line the following:

"67.1360. The governing body of:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;
- (8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;
- (9) Any county of the second classification without a township form of government and a population of less than thirty thousand;
- (10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;
- (11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;
- (14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;
- (15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;
- (17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;
- (18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants; [or]

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants; or

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants; may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 70, Section 67.2535, Line 16, by inserting after all of said line the following:

"82.291. 1. For purposes of this section, "derelict vehicle" means any motor vehicle or trailer that was originally designed or manufactured to transport persons or property on a public highway, road, or street and that is junked, scrapped, dismantled, disassembled, or in a condition otherwise harmful to the public health, welfare, peace, and safety.

2. The owner of any property located in any home rule city with more than twenty-six thousand two hundred but less than twenty-six thousand three hundred inhabitants, except any property subclassed as agricultural and horticultural property pursuant to section 4(b), article X, of the Constitution of Missouri or any property containing any licensed vehicle service or repair facility, who permits derelict vehicles or substantial parts of derelict vehicles to remain on the property other than inside a fully enclosed permanent structure designed and constructed for vehicle storage shall be liable for the removal of the vehicles or the parts if they are declared to be a public nuisance.

3. To declare derelict vehicles or parts of derelict vehicles to be a public nuisance, the governing body of the city shall give a hearing upon ten days' notice, either personally or by United States mail to the owner or agent, or by posting a notice of the hearing on the property. At the hearing, the governing body may declare the vehicles or the parts to be public nuisances, and may order the nuisance to be removed within five business days. If the nuisance is not removed within the five days, the governing body or the designated city official shall have the nuisance removed and shall certify the costs of the removal to the city clerk or the equivalent official, who shall cause a special tax bill for the

removal to be prepared against the property and collected by the collector with other taxes assessed on the property, and to be assessed any interest and penalties for delinquency as other delinquent tax bills are assessed as permitted by law.

4. The provisions of this section shall terminate on August 28, [2004] **2008.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 49.650, Lines 15-16 of said page, by striking the following:

"and the health of the general public".

*Senate Substitute Amendment No. 2
for
Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 4, Section 49.650, Line 22, by inserting immediately after all of said line the following:

"5. No county commission may enact an ordinance with regard to agriculture operations. Any zoning adopted by any county prior to the August 28, 2004 shall be exempt from the provisions of this subsection."

Senate Amendment No. 9

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 126, Section 1, Line 23, by inserting after all of said line the following:

"Section 2. The Board of Fund Commissioners shall determine whether any governmental entity has sufficient fund balances to redeem leasehold revenue bonds obligated pursuant to a federal court desegregation action. If the board of fund commissioners determines that any governmental entity has sufficient fund balances to redeem or otherwise pay off such leasehold revenue bonds, the state board of education shall certify, pursuant to 160.415.2(5) that no amount is needed by such governmental entity to repay such bonds."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 117, Section 304.010, Line 21 of said page, by inserting immediately after said line the following:

"393.760. 1. The commission shall, in accordance with the provisions of chapter 115, RSMo, order an election to be held whereby the qualified electors in each contracting municipality participating in the project shall approve or disapprove the issuance of the bonds as provided for in the resolution of the commission. The commission may not order such an election until it has engaged and received a report from an independent consulting engineer as defined in section 327.181, RSMo, for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each contracting municipality participating in the project and such report shall be open to public inspection and shall be the subject of a public hearing in each municipality participating in the project. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each municipality. Interested parties may appear and fully participate in such hearings.

2. The commission shall notify the election authority or authorities responsible for conducting elections within each contracting municipality participating in the project in accordance with chapter 115, RSMo.

3. The question shall be submitted in substantially the following form:

OFFICIAL BALLOT

Should a resolution to approve the issuance of revenue bonds by the joint municipal (water) (sewer) (power) (gas) commission in an amount not to exceed \$..... for the purpose of be approved?

☐ Yes

☐ No

If you are in favor of the resolution, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

4. If the resolution to issue the bonds is approved by at least a majority of the qualified electors voting thereon in each of the contracting municipalities participating in the project, the commission shall declare the result of the election and cause the bonds to be issued.

5. The municipalities participating in the project shall bear all expenses associated with the elections in such contracting municipalities.

6. In lieu of the public voting procedure set forth in subsections 1 to 5 of this section, in the case of purchasing or leasing, constructing, installing, and operating reservoirs, pipelines, wells, check dams, pumping stations, water purification plants, and other facilities for the production, wholesale distribution, and utilization of water, the commission may provide for a vote by the governing body of each contracting municipality. Such vote shall require the approval of three-quarters of all governing bodies of the contracting municipalities. The commission may not order such a vote until it has engaged and received a report from an independent consulting engineer as defined in section 327.181, RSMo, for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each contracting municipality participating in the project and such report shall be open to public inspection and shall be the subject of a public hearing in each municipality participating in the project. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each municipality. Interested parties may appear and fully participate in such hearings. Each contracting municipality shall vote by ordinance or resolution and such ordinance or resolution shall approve the issuance of revenue bonds by the joint municipal water commission in an amount not to exceed a specified amount."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 105, Section 221.070, Line 9 of said page, by inserting immediately after said line the following:

"229.340. **1.** Each applicant for a permit under the provisions of sections 229.300 to 229.370 may be required by the county highway engineer to pay a fee in an amount determined by the county commission by order of record, [not to exceed the sum of three dollars for each such application,] which fee is to be paid into a special fund in the county treasury and to be used for the purpose of paying the expenses incident to the provisions of sections 229.300 to 229.370. Any balance on hand in such fund at the end of the fiscal year of such county shall be paid into the special county road and bridge fund of such county.

2. The special use permit fees imposed by the county shall be calculated and administered using the criteria outlined in sections 67.1840 and 67.1842, RSMo, for the imposition of right-of-way permit fees. The special use permit fee shall not be imposed on a public utility right-of-way user for uses governed by the provisions of sections 67.1830 to 67.1846, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 105, Section 245.015, Line 10, by inserting after "245.015." the following:

"1."; and

Further amend Page 107, said section, Line 2, by inserting after all of said line, the following:

"2. The modifications to this section, as enacted by the ninety-second general assembly, second regular session, shall not be construed to enhance or limit the current law, and any interpretation thereof, with regard to where a levee district may or may not be formed within any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants nor any city, town, village or other political subdivision contained therein."

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 117, Section 304.010, Line 21 of said page, by inserting immediately after said line the following:

"393.015. 1. Notwithstanding any other provision of law to the contrary, any [sewer] **water** corporation, municipality **providing water**, or [sewer] **any water** district established under the provisions of chapter [249 or 250] **247**, RSMo, [or sections 204.250 to 204.470, RSMo, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation, municipality, or public water supply district established under chapter 247, RSMo, to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until thirty days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer by certified mail, except that if the water corporation, municipality or public water supply district is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the water corporation, municipality or public water supply district to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water corporation, municipality or public water supply district shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are paid by the customer] **shall, upon request of any municipality providing sewer service or public sewer district established under the provisions of chapter 249 or 250, RSMo, or sections 204.250 to 204.470, RSMo, or any sewer district created and organized pursuant to constitutional authority, contract with such sewer provider to terminate water services to any water user of such water provider for nonpayment of a delinquent sewer bill owed to such sewer provider.**

2. [A water corporation, municipality, or public water supply district acting pursuant to a contract with a sewer corporation, municipality or sewer district as provided in subsection 1 of this section shall not be liable for damages related to termination of water services unless such damage is caused by the negligence of such water corporation, municipality, or public water supply district, in which case the water corporation, municipality, or public water supply district shall be indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs related to the termination and reestablishment of services by the water corporation, municipality or public water supply district shall be reimbursed by the sewer corporation, municipality, sewer district or sewer district created and organized pursuant to constitutional authority.] **Any water provider, or independent contractor acting for such water provider, disconnecting water service to collect a delinquent sewer charge at the request of a sewer provider pursuant to a water termination agreement made pursuant to this section shall be immune from civil liability for damages or costs resulting from disconnection.**

3. **In the event that any water provider and any sewer provider are unable to reach an agreement as provided in this section within six months of the receipt of such request by the water provider, then the sewer provider making the written request may file with the circuit court in which such water provider was incorporated, or if such water provider was not incorporated by a circuit court, then with a circuit court having jurisdiction of the water provider, a petition requesting that three commissioners be selected to draft such an agreement.**

4. **Any agreement drafted by such commissioners or entered into under the provisions established in this section shall contain the following provisions:**

(1) **The rules and regulations or ordinances of the sewer provider shall provide the number of delinquent days required before water service may be discontinued for failure to pay incurred sewer charges. Such period of time shall be equal to the number of delinquent days required before water service is discontinued for failure to pay incurred water charges as set by the water provider;**

(2) **The water provider shall not be required to discontinue water service to the sewer user for failure to pay the incurred charges or rental due unless the sewer provider shall first provide written notice to the water**

provider requesting discontinuation of service. The notice shall include the due date, amount of the delinquent bill, and all penalties and interest thereon. When payment of the delinquent amount is received by the water provider, water service shall be restored to the user;

(3) All reasonable expense and cost incurred by the water provider in performing or carrying out the agreement shall be reimbursed to the water provider by the sewer provider;

(4) The sewer provider shall hold the water provider, or any independent contractor who performs or carries out such agreement under contract with the water provider, harmless as a result of the agreement between the sewer provider and water provider or as a result of any claim, litigation, or threatened litigation against the water provider or independent contractor arising in any way from such agreement;

(5) The expense and cost of the water provider shall be recalculated annually, providing for annual increases or decreases in the National Consumers Price Index for All Urban Consumers (CPI-U), unadjusted for seasonal variation, as published by the United States Department of Labor. The amount due the water provider during the subsequent year shall be increased or decreased according to any change occurring in such costs and expenses;

(6) When a water provider is collecting delinquent amounts for both water and sewer service, all delinquent payments due to both the water and sewer provider shall be received by the water provider before water service is restored. If for any reason water service is never restored, any amount collected for delinquent accounts due both water and sewer provider shall be divided equally between the water provider and the sewer provider.

5. Upon the filing of such petition, the sewer provider shall appoint one commissioner. The water provider shall appoint a commissioner within thirty days of the service of the petition upon it. If the water provider fails to appoint a commissioner within such time period, the court shall appoint a commissioner on behalf of the water provider within forty-five days of service of the petition on the water provider. Such two named commissioners shall agree to appoint a third commissioner within thirty days after the appointment of the second commissioner, but in the event that they fail to do so, the court shall appoint a third commissioner within sixty days after the appointment of the second commissioner.

6. The commissioners shall draft an agreement between the water provider and sewer provider meeting the requirements established in this section. Before drafting such agreement, the water provider and sewer provider shall be given an opportunity to present evidence and information pertaining to such agreement at a hearing to be held by the commissioners, of which each party shall receive fifteen days written notice. The hearing may be continued from time to time by the commissioners. The commissioners shall consider all such evidence and information submitted to them and prepare such agreement as provided herein. Said agreement shall be submitted to the court within ninety days of the selection or appointment of the last commissioner as herein provided.

7. If the court finds that such agreement meets the requirements of this section, then the court shall enter its judgment approving such agreement and order it to become effective sixty days after the date of such judgment. If such agreement does not meet the requirements of this section, the court shall return it to the commissioners with its reasons for rejecting the agreement. The commissioners shall make the required changes and resubmit the agreement to the court. Upon approval of the agreement by the court, judgment shall be entered approving the agreement and ordering it to become effective sixty days after the date of such judgment. Thereafter, the parties shall abide by such agreement. If either party fails to do so, the other party may file an action to compel compliance. Venue shall be in the court issuing such judgment.

8. The judgment and order of the court shall be subject to appeal as provided by law. All costs, including commissioners' compensation, shall be taxed to and paid by the sewer provider requesting an agreement. The court shall also order payment of a reasonable attorney fee and fees of expert witnesses of the water provider by the sewer provider to the water provider.

393.016. 1. Notwithstanding any other provision of law to the contrary, any sewer corporation, municipality or sewer district established under the provisions of chapter 249 or 250, RSMo, or sections 204.250 to 204.470, RSMo, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until thirty days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer by certified mail, except that if the water corporation is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the

water corporation, municipality or public water supply district to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water corporation shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are paid by the customer.

2. A water corporation acting pursuant to a contract with a sewer corporation, municipality or sewer district as provided in subsection 1 of this section shall not be liable for damages related to termination of water services unless such damage is caused by the negligence of such water corporation, municipality, or public water supply district, in which case the water corporation, municipality, or public water supply district shall be indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs related to the termination and reestablishment of services by the water corporation, municipality or public water supply district shall be reimbursed by the sewer corporation, municipality, sewer district or sewer district created and organized pursuant to constitutional authority."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 3, Section 49.650, Line 17 of said page, by inserting after at the end of said line the following:

"Nothing in this paragraph shall be construed to allow a noncharter county to adopt an ordinance or resolution regulating the sale or display at any retail outlet of any drug having an active ingredient of ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers."

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 15, Section 64.805, by striking all of said section and by inserting in lieu thereof the following:

"64.825. The county planning commission may also prepare, with the approval of the county commission, as parts of the official master plan or otherwise, sets of regulations governing subdivisions of land in unincorporated areas, and amend or change same from time to time as herein provided, which regulations may provide for the proper location and width of streets, building lines, open spaces, safety, recreation, and for the avoidance of congestion of population, including minimum width and area of lots. Such regulations may also include the extent to which and the manner in which streets shall be graded and improved, and the extent to which water, sewer and other utility services shall be provided, to protect public health and general welfare. Such regulations may provide that in lieu of the immediate completion or installation of the work, the county planning commission may accept bond for the county commission in the amount and with surety **or other form of security** and conditions satisfactory to the county commission, providing for and securing to the county commission the actual construction of the improvements and utilities within a period specified by the county planning commission, and the county commission shall have power to enforce the bond **or other form of security** by all proper remedies. The subdivision regulations shall be adopted, changed or amended, certified and filed as provided in section 64.815. The subdivision regulations shall be adopted, changed or amended only after a public hearing has been held thereon, public notice of which shall be given in the manner as provided for the hearing in section 64.815."; and

Further amend said bill, Page 70, Section 67.2535, Line 16, by inserting after all of said line the following:

"89.410. 1. The planning commission shall recommend and the council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. The regulations, in addition to the requirements provided by law for the approval of plats, may provide requirements for the coordinated development of the city, town or village; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the city plan or official map of the city, town or village; for adequate open spaces for traffic, recreation, light and air; and for a distribution of population and traffic; provided that, the city, town or village may only impose requirements [and] **for** the posting of bonds [regarding], **letters of credit or** escrows for subdivision-related [regulations] **improvements** as provided for in subsections 2 to [4] **5** of this section.

2. The regulation may include requirements as to the extent and the manner in which the streets of the subdivision or any designated portions thereto shall be graded and improved as well as including requirements as to the extent and manner of the installation of all utility facilities. Compliance with all of these requirements is a condition precedent to the approval of the plat. The regulations or practice of the council may provide for the tentative approval of the plat previous to the improvements and utility installations; but any tentative approval shall not be entered on the plat. The regulations may provide that, in lieu of the completion of the work and installations previous to the final approval of a plat, the council [may] **shall accept [a], at the option of the developer, an escrow secured with cash or an irrevocable letter of credit deposited with the city, town, or village. The city, town, or village may accept a surety bond [or escrow], and such bond shall be** in an amount and with surety and other reasonable conditions, providing for and securing the actual construction and installation of the improvements and utilities within a period specified by the council and expressed in the bond[; provided that,]. The release of **any** such escrow, **letter of credit, or bond** by the city, town or village shall be as specified in this section. The council may enforce the **escrow or bond** by all appropriate legal and equitable remedies. The regulations may provide, in lieu of the completion of the work and installations previous to the final approval of a plat, for an assessment or other method whereby the council is put in an assured position to do the work and make the installations at the cost of the owners of the property within the subdivision. The regulations may provide for the dedication, reservation or acquisition of lands and open spaces necessary for public uses indicated on the city plan and for appropriate means of providing for the compensation, including reasonable charges against the subdivision, if any, and over a period of time and in a manner as is in the public interest.

3. **The regulations shall provide that in the event a developer who has posted an escrow, or letter of credit, or bond with a city, town, or village in accordance with subsection 2 of this section transfers title of the subdivision property prior to full release of the escrow, letter of credit, or bond, the municipality shall accept a replacement escrow or letter of credit from the successor developer in the form allowed in subsection 2 of this section and in the amount of the escrow or letter of credit held by the city, town, or village at the time of the property transfer, and upon receipt of the replacement escrow or letter of credit, the city, town, or village shall release the original escrow or letter of credit in full and release the prior developer from all further obligations with respect to the subdivision improvements if the successor developer assumes all of the outstanding obligations of the previous developer. The city, town, or village may accept a surety bond from the successor developer in the form allowed in subsection 2 of this section and in the amount of the bond held by the city, town, or village at the time of the property transfer, and upon receipt of the replacement bond, the city, town, or village shall release the original bond in full, and release the prior developer from all further obligations with respect to the subdivision improvements.**

4. The regulations shall provide that any escrow **or bond** amount held by the city, town or village to secure actual construction and installation on each component of the improvements or utilities shall be released within thirty days of completion of each category of improvement or utility work to be installed, minus a maximum retention of five percent which shall be released upon completion of all improvements and utility work. **The city, town, or village shall inspect each category of improvement or utility work within twenty business days after a request for such inspection.** Any such category of improvement or utility work shall be deemed to be completed upon certification by the city, town or village that the project is complete in accordance with the ordinance of the city, town or village including the filing of all documentation and certifications required by the city, town or village, in complete and acceptable form. The release shall be deemed effective when the escrow funds **or bond amount** are duly posted with the United States Postal Service or other agreed-upon delivery service or when the escrow funds **or bond amount** are hand delivered to an authorized person or place as specified by the owner or developer.

[4.] **5.** If the city, town or village has not released the escrow funds **or bond amount** within thirty days as provided in this section **or provided a timely inspection of the improvements or utility work after request for such inspection**, the city, town or village shall pay the owner or developer in addition to the escrow funds due the owner or developer, interest at the rate of one and one-half percent per month calculated from the expiration of the thirty-day period until the escrow funds **or bond amount** have been released. Any owner or developer aggrieved by the city's, town's or village's failure to observe the requirements of this section may bring a civil action to enforce the provisions of this section. In any civil action or part of a civil action brought pursuant to this section, the court may award the prevailing party or the city, town or village the amount of all costs attributable to the action, including reasonable attorneys' fees.

[5.] **6.** Nothing in this section shall apply to performance, maintenance and payment bonds required by cities, towns or villages.

[6.] **7.** Before adoption of its subdivision regulations or any amendment thereof, a duly advertised public hearing thereon shall be held by the council.

8. The provisions of subsection 2 of this section requiring the acceptance of an escrow secured by cash or an irrevocable letter of credit, rather than a surety bond, at the option of the developer, all of the provisions of subsection 3 of this section, and the provisions of subsections 4 and 5 of this section regarding an inspection of improvements or utility work within twenty business days shall not apply to any home rule city with more than four hundred thousand inhabitants and located in more than one county.

9. Notwithstanding the provisions of section 290.210, RSMo, to the contrary, improvements secured by escrow, letter of credit, or bond as provided in this section shall not be subject to the terms of sections 290.210 to 290.340, RSMo, unless they are paid for wholly or in part out of public funds."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 117, Section 304.010, Line 21, by adding all of the following:

"389.610. 1. No public road, highway or street shall be constructed across the track of any railroad corporation, nor shall the track of any railroad corporation be constructed across a public road, highway or street, nor shall the track of any railroad corporation be constructed across the track of any other railroad or street railroad corporation at grade nor shall the track of a street railroad corporation be constructed across the tracks of a railroad corporation at grade, without having first secured the permission of the **state** highways and transportation commission, except that this subsection shall not apply to the replacement of lawfully existing tracks. The commission shall have the right to refuse its permission or to grant it upon such terms and conditions as it may prescribe.

2. Every railroad corporation shall construct and maintain good and sufficient crossings and crosswalks where its railroad crosses public roads, highways, streets or sidewalks now or hereafter to be opened.

3. The **state** highways and transportation commission shall make and enforce reasonable rules and regulations pertaining to the construction and maintenance of all public grade crossings. These rules and regulations shall establish minimum standards for:

- (1) The materials to be used in the crossing surface;
- (2) The length and width of the crossing;
- (3) The approach grades;
- (4) The party or parties responsible for maintenance of the approaches and the crossing surfaces.

4. The **state** highways and transportation commission shall have the exclusive power to determine and prescribe the manner, including the particular point of crossing, and the terms of installation, operation, maintenance, apportionment of expenses, use and warning devices of each crossing of a public road, street or highway by a railroad or street railroad, and of one railroad or street railroad by another railroad or street railroad. In order to facilitate such determinations, the **state** highways and transportation commission may adopt pertinent provisions of The Manual on Uniform Traffic Control Devices for Streets and Highways or other national standards.

5. The **state** highways and transportation commission shall have the exclusive power to alter or abolish any crossing, at grade or otherwise, of a railroad or street railroad by a public road, highway or street whenever the **state** highways and transportation commission finds that public necessity will not be adversely affected and public safety will be promoted by so altering or abolishing such crossing, and to require, where, in its judgment it would be practicable, a separation of grades at any crossing heretofore or hereafter established, and to prescribe the terms upon which such separation shall be made. **When a road authority lawfully closes or vacates a roadway which provided access to a railroad crossing, the state highways and transportation commission shall issue an order authorizing removal of the crossing by the railroad within thirty days of being notified of such action by the roadway authority or railroad.**

6. The **state** highways and transportation commission shall have the exclusive power to prescribe the proportion in which the expense of the construction, installation, alteration or abolition of such crossings, the separation of grades, and the continued maintenance thereof, shall be divided between the railroad, street railroad, and the state, county, municipality or other public authority in interest.

7. Any agreement entered into after October 13, 1963, between a railroad or street railroad and the state, county, municipality or other public authority in interest, as to the apportionment of any cost mentioned in this section shall be final and binding upon the filing with the **state** highways and transportation commission of an executed copy of such agreement. If such parties are unable to agree upon the apportionment of the cost, the **state** highways and transportation

commission shall apportion the cost among the parties according to the benefits accruing to each. In determining such benefits, the **state** highways and transportation commission shall consider all relevant factors including volume, speed and type of vehicular traffic, volume, speed and type of train traffic, and advantages to the public and to such railroad or street railroad resulting from the elimination of delays and the reduction of hazard at the crossing.

8. Upon application of any person, firm or corporation, the **state** highways and transportation commission shall determine if an existing private crossing has become or a proposed private crossing will become utilized by the public to the extent that it is necessary to protect or promote the public safety. The **state** highways and transportation commission shall consider all relevant factors including but not limited to volume, speed, and type of vehicular traffic, and volume, speed, and type of train traffic. If it be determined that it is necessary to protect and promote the public safety, the **state** highways and transportation commission shall prescribe the nature and type of crossing protection or warning device for such crossing, the cost of which shall be apportioned by the **state** highways and transportation commission among the parties according to the benefits accruing to each. In the event such crossing protection or warning device as prescribed by the **state** highways and transportation commission is not installed, maintained or operated, the crossing shall be closed to the public.

9. The exclusive power of the **state** highways and transportation commission pursuant to this section shall be subject to review, determination, and prescription by the administrative hearing commission, upon application to [that] **the administrative hearing** commission by any interested party **in accordance with section 621.040, RSMo.** Upon filing of an application pursuant to this subsection, the administrative hearing commission is vested with the exclusive power of the highways and transportation commission otherwise provided in this section, with reference to matters reviewed, determined or prescribed by the administrative hearing commission."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 75, Section 137.100, Line 26, by inserting after all of said line the following:

"137.298. **1.** Other provisions of law to the contrary notwithstanding, any city may by ordinance include as a charge on bills issued for personal property taxes any outstanding parking violations issued on any vehicle for which personal property tax is to be paid and, if required by ordinance, such charge shall be collected with and in the same payment as personal property taxes are collected by the collector of revenue of such city. No personal property tax bill shall be considered paid unless all charges for parking violations are also paid in full and the collector of revenue shall not issue a paid personal property receipt until all such charges are paid.

2. Any city or city not within a county may enter into a contract or cooperative agreement with the county governing body and county collector of any county with a charter form of government or any county of the first classification to include as a charge on bills issued for personal property taxes any outstanding vehicle-related fees and fines, including traffic violations, assessed or issued on any vehicle for which personal property tax is to be paid. For the purpose of this section, vehicle-related fees and fines shall include, but not be limited to, traffic violation fines, parking violation fines, towing and vehicle immobilization fees, and any late payment penalties and court costs associated with adjudication or collection of those fines. No personal property tax bill shall be considered paid unless all charges for parking violations and other vehicle-related fees and fines are also paid in full, and the county collector shall not issue a paid personal property tax receipt until all such charges are paid. Any contract or cooperative agreement shall be in writing, signed by the city, county governing body, and county collector, and shall set forth the provisions and terms agreed to by the parties."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 18

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 117, Section 304.010, Line 21 of said page, by inserting after all of said line the following:

"321.554. 1. Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three

thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; or any county with a charter form of government with over one million inhabitants, when the revenue from the ambulance or fire protection district sales tax is collected for distribution pursuant to section 321.552, the board of the ambulance or fire protection district, after determining its budget for the year pursuant to section 67.010, RSMo, and the rate of levy needed to produce the required revenue and after making any other adjustments to the levy that may be required by any other law, shall reduce the total operating levy of the district in an amount sufficient to decrease the revenue it would have received therefrom by an amount equal to fifty percent of the previous fiscal year's sales tax receipts. Loss of revenue, due to a decrease in the assessed valuation of real property located within the ambulance or fire protection district as a result of general reassessment, and from state-assessed railroad and utility distributable property based upon the previous fiscal year's receipts shall be considered in lowering the rate of levy to comply with this section in the year of general reassessment and in each subsequent year. In the event that in the immediately preceding year the ambulance or fire protection district actually received more or less sales tax revenue than estimated, the ambulance or fire protection district board may adjust its operating levy for the current year to reflect such increase or decrease. The director of revenue shall certify the amount payable from the ambulance or fire protection district sales tax trust fund to the general revenue fund to the state treasurer.

2. Except that, in the first year in which any sales tax is collected pursuant to section 321.552, the collector shall not reduce the tax rate as defined in section 137.073, RSMo.

3. In a year of general reassessment, as defined by section 137.073, RSMo, or assessment maintenance as defined by section 137.115, RSMo, in which an ambulance or fire protection district in reliance upon the information then available to it relating to the total assessed valuation of such ambulance or fire protection district revises its property tax levy pursuant to section 137.073 or 137.115, RSMo, and it is subsequently determined by decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of assessed valuations that the assessed valuation of such ambulance or fire protection district has been changed, and but for such change the ambulance or fire protection district would have adopted a different levy on the date of its original action, then the ambulance or fire protection district may adjust its levy to an amount to reflect such change in assessed valuation, including, if necessary, a change in the levy reduction required by this section to the amount it would have levied had the correct assessed valuation been known to it on the date of its original action, provided:

(1) The ambulance or fire protection district first levies the maximum levy allowed without a vote of the people by article X, section 11(b) of the constitution; and

(2) The ambulance or fire protection district first adopts the tax rate ceiling otherwise authorized by other laws of this state; and

(3) The levy adjustment or reduction may include a one-time correction to recoup lost revenues the ambulance or fire protection district was entitled to receive during the prior year.

321.556. 1. Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; or any county with a charter form of government with over one million inhabitants, the governing body of any ambulance or fire protection district, when presented with a petition signed by at least twenty percent of the registered voters in the ambulance or fire protection district that voted in the last gubernatorial election, calling for an election to repeal the tax pursuant to section 321.552, shall submit the question to the voters using the same procedure by which the imposition of the tax was voted. The ballot of submission shall be in substantially the following form:

"Shall (insert name of ambulance or fire protection district) repeal the (insert amount up to one-half) of one percent sales tax now in effect in the.....(insert name of ambulance or fire protection district) and reestablish the property tax levy in the district to the rate in existence prior to the enactment of the sales tax?

☐ Yes

☐ No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

2. If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 19

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 20, Section 67.402, Line 13, by adding all of the following:

"4. The provisions of this section shall not apply to lands owned by a public utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the department of transportation, the department of natural resources, or the department of conservation."

Senate Amendment No. 20

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 2, Section A, Line 5 of said page, by inserting after all of said line the following:

"49.082. 1. A county commissioner in any county, other than in a first classification chartered county or a first classification county not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall, subject to any other adjustment otherwise provided in this section, receive an annual salary computed as set forth in the following schedule. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of commissioner on January 1, [1997] **2004**.

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$19,140] 24,116
41,000,000 to 53,999,999	[19,800] 24,948
54,000,000 to 65,999,999	[21,120] 26,611
66,000,000 to 85,999,999	[22,440] 28,274
86,000,000 to 99,999,999	[23,760] 29,938
100,000,000 to 130,999,999	[25,080] 31,601
131,000,000 to 159,999,999	[26,400] 33,264
160,000,000 to 189,999,999	[27,060] 34,096
190,000,000 to 249,999,999	[27,390] 34,511
250,000,000 to 299,999,999	[28,380] 35,759
300,000,000 [or more] to 310,999,999	[29,700] 37,422
311,000,000 to 330,999,999	38,412
331,000,000 to 359,999,999	39,402
360,000,000 to 389,999,999	40,392
390,000,000 to 449,999,999	41,382
450,000,000 to 499,999,999	42,372
500,000,000 to 549,999,999	43,362
550,000,000 or more	44,352

2. In addition to any compensation provided pursuant to subsection 1 of this section, the presiding commissioner of any county not having a charter form of government shall receive two thousand dollars annual salary.

3. Two thousand dollars of the salary authorized in this section shall be payable to a commissioner only if the commissioner has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the commissioner's office when approved by a professional association of the county commissioners of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each commissioner who completes the training program and shall send a list of certified commissioners to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to a county commissioner in the same manner as other expenses as may be appropriated for that purpose.

4. A county commissioner in any county, other than a first classification charter county or a first classification county not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall not, except upon a two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county commissioner or presiding commissioner respectively for the particular county for services rendered or performed on the date the salary commission votes."; and

Further amend said bill, Page 6, Section 50.515, Line 7 of said page, by inserting after all of said line the following:

"50.334. 1. In all counties, except counties of the first classification having a charter form of government and counties of the first classification not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, each recorder of deeds, if the recorder's office is separate from that of the circuit clerk, shall receive as total compensation for all services performed by the recorder, except as provided pursuant to section 50.333, an annual salary which shall be computed on an assessed valuation basis, **without regard to modifications due to the existence of enterprise zones or financing under chapter 100, RSMo**, as set forth in the following schedule. The assessed valuation factor shall be the amount thereof as computed for the year next preceding the computation. The county recorder of deeds whose office is separate from that of the circuit clerk in any county, other than a county of the first classification having a charter form of government or a county of the first classification not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county recorder of deeds in the particular county for services rendered or performed on January 1, [1997] **2004**.

Assessed Valuation	Salary
\$ 8,000,000 to 40,999,999	[\$29,000] 36,540
41,000,000 to 53,999,999	[30,000] 37,800
54,000,000 to 65,999,999	[32,000] 40,320
66,000,000 to 85,999,999	[34,000] 42,840
86,000,000 to 99,999,999	[36,000] 45,360
100,000,000 to 130,999,999	[38,000] 47,880
131,000,000 to 159,999,999	[40,000] 50,400
160,000,000 to 189,999,999	[41,000] 51,660
190,000,000 to 249,999,999	[41,500] 52,290
250,000,000 to 299,999,999	[43,000] 54,180
300,000,000 [or more] to 310,999,999	[45,000] 56,700
311,000,000 to 330,999,999	58,200
331,000,000 to 359,999,999	59,700
360,000,000 to 389,999,999	61,200
390,000,000 to 449,999,999	62,700
450,000,000 to 499,999,999	64,200
500,000,000 to 549,999,999	65,700
550,000,000 or more	67,200

2. Two thousand dollars of the salary authorized in this section shall be payable to the recorder only if he has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the recorder's office when approved by a professional association of the county recorders of deeds of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each recorder who completes the training program and shall send a list of certified recorders to the treasurer of each county. Expenses incurred for attending the training session shall be reimbursed to the county recorder in the same manner as other expenses as may be appropriated for that purpose.

50.343. 1. Other provisions of law to the contrary notwithstanding, in any first classification nonchartered county, including any county containing any part of a city with a population of three hundred thousand or more, the annual salary of a county recorder of deeds, clerk, auditor, county commissioner, collector, treasurer, assessor or salaried public administrator may be computed on an assessed valuation basis, **without regard to modifications due to the existence of enterprise zones or financing under chapter 100, RSMo**, as set forth in the following schedule except as provided in [subsection 2] **subsections 2 and 3** of this section. The assessed valuation factor shall be the amount

thereof as shown for the year next preceding the computation. The provisions of this section shall not permit a reduction in the amount of compensation being paid on January 1, [1997] **2004**, for any of the offices subject to this section on January 1, [1997] **2004**.

(1) For a recorder of deeds, clerk, auditor, presiding commissioner, collector, treasurer, assessor, or salaried public administrator:

Assessed Valuation	Salary
[\$ 450,000,001 to 600,000,000	\$47,000
600,000,001 to 750,000,000	49,000
750,000,001 to 900,000,000	51,000
900,000,001 to 1,050,000,000	53,000
1,050,000,001 to 1,200,000,000	55,000
1,200,000,001 to 1,350,000,000	57,000
1,350,000,000 and over 59,000]	
\$ 450,000,000 to 499,999,999	\$64,200
500,000,000 to 649,999,999	65,700
650,000,000 to 799,999,999	67,200
800,000,000 to 949,999,999	68,700
950,000,000 to 1,099,999,999	70,200
1,100,000,000 to 1,249,999,999	71,700
1,250,000,000 to 1,399,999,999	73,200
1,400,000,000 to 1,549,999,999	74,700
1,550,000,000 to 1,699,999,999	76,200
1,700,000,000 to 1,849,999,999	77,700
1,850,000,000 to 1,999,999,999	79,200
2,000,000,000 and over	80,700

(2) Presiding commissioners shall receive a salary of two thousand dollars more than the salary received by the associate commissioners.

2. After December 31, 1990, in any county of the second classification which becomes a first classification county without a charter form of government, the annual compensation of county recorder of deeds, clerk, auditor, county commissioner, collector, treasurer, assessor and the public administrator in counties where the public administrator is paid a salary under the provisions of section 473.740, RSMo, may be set at the option of the salary commission. On or before October first of the year immediately prior to the beginning of the county fiscal year following the general election after the certification by the state equalizing agency that the county possesses an assessed valuation placing it in first classification status, the salary commission shall meet for the purpose of setting compensation for such county **offices or** officials and such compensation shall be payable immediately except that no compensation of any **county office or** county official shall be reduced and the compensation of presiding county commissioners in any of such counties shall be two thousand dollars more than the compensation paid to the associate commissioners in that county. Thereafter in all such counties the salary commission shall meet for the purpose of setting the compensation of the **offices or** officers in this subsection who will be elected at the next general election, and such compensation shall be payable upon the beginning of the next term of office of such **offices or** officers; except that, no compensation of any **office or** officer shall be reduced and the compensation of presiding county commissioners in any of such counties shall be two thousand dollars more than the compensation paid to the associate commissioners in that county. Two thousand dollars of the compensation established under the procedures authorized pursuant to this subsection shall be payable to a county officer only if the officer has completed at least twenty hours of classroom instruction in the operation of the office in the same manner as provided by law for **the offices and** officers subject to the provisions of section 50.333. At the salary commission meeting which establishes the percentage rate to be applied to **the county offices or** officers during the next term of office, the salary commission may authorize the further adjustment of such officers' compensation as a cost-of-living component and effective January first of each year, the compensation for county **offices or** officers may be adjusted by the county commission, not to exceed the percentage increase given to the other county employees.

3. [Other provisions of this section to the contrary notwithstanding, at the option of a majority of the county salary commission members, the salary of associate commissioners of a county of the first classification without a charter form of government with a population of at least eighty-two thousand but not more than eighty-five thousand inhabitants may be set at no more than sixty-five percent of the amount on the salary schedule for the county affected] **The compensation for county assessors in counties of the first classification for the term of office beginning September 1, 2005, shall be calculated under the salary schedule in this section using the percentage increase approved by**

the county salary commission when establishing the compensation for the office of county assessor at the salary commission meeting in 2005. This salary shall become effective September 1, 2005.

50.345. 1. The most recent percentage of the maximum allowable compensation established by the salary commission shall continue to apply regardless of any action by the general assembly to modify the salary schedule of any elected county official and shall be based upon the statute in effect at the time the salary commission established the percentage of the maximum allowable compensation for that office. At the meeting of the salary commission following any modification to any elected county official's salary schedule, the salary commission shall base the percentage of maximum allowable compensation as set forth in current statute.

2. Notwithstanding the provisions of subsection 5 of section 50.333 and subsection 2 of section 50.343, following the modification by the general assembly of any elected officer's maximum allowable compensation, the salary commission of any county may meet for the sole purpose of modifying the percentage of the maximum allowable compensation authorized by the county salary commission for any such position."; and

Further amend said bill, Page 11, Section 50.1250, Line 21 of said page, by inserting after all of said line the following:

"51.281. 1. The county clerk in any county, other than in a first classification county, shall receive an annual salary computed as set forth in the following schedule. **The salary shall be computed on an assessed valuation basis, without regard to modifications due to the existence of enterprise zones or financing under chapter 100, RSMo, as provided in this subsection.** The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of clerk on January 1, [1997] **2004.**

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$29,000] 36,540
41,000,000 to 53,999,999	[30,000] 37,800
54,000,000 to 65,999,999	[32,000] 40,320
66,000,000 to 85,999,999	[34,000] 42,840
86,000,000 to 99,999,999	[36,000] 45,360
100,000,000 to 130,999,999	[38,000] 47,880
131,000,000 to 159,999,999	[40,000] 50,400
160,000,000 to 189,999,999	[41,000] 51,660
190,000,000 to 249,999,999	[41,500] 52,290
250,000,000 to 299,999,999	[43,000] 54,180
300,000,000 [or more] to 310,999,999	[45,000] 56,700
311,000,000 to 330,999,999	58,200
331,000,000 to 359,999,999	59,700
360,000,000 to 389,999,999	61,200
390,000,000 to 449,999,999	62,700
450,000,000 to 499,999,999	64,200
500,000,000 to 549,999,999	65,700
550,000,000 or more	67,200

2. Two thousand dollars of the salary authorized in this section shall be payable to the clerk only if the clerk has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the clerk's office when approved by a professional association of the county clerks of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each clerk who completes the training program and shall send a list of certified clerks to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county clerk in the same manner as other expenses as may be appropriated for that purpose.

3. [The county clerk may retain any fees to which he is entitled for services performed in the issuance of fish and game licenses or permits.

4.] The county clerk in any county, other than a first classification charter county or a first classification county not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county clerk in the particular county for services rendered or performed on the date the salary commission votes.

51.283. Notwithstanding any other provision of law to the contrary, the election authority in each county that does not have a board of election commissioners shall receive additional compensation of seven thousand five hundred dollars annually for duties performed in compliance with the Help America Vote Act of 2002."; and

Further amend said bill, Pages 11 to 13, Section 52.269, by striking said section and inserting in lieu thereof the following:

"52.269. 1. In all counties, except first classification counties having a charter form of government and first classification counties not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, the county collector shall receive an annual salary which shall be paid in equal monthly installments by the county. The salary shall be computed on an assessed valuation basis, **without regard to modifications due to the existence of enterprise zones or financing under chapter 100, RSMo**, as provided in this subsection. The assessed valuation factor shall be the amount as shown for the year next preceding the annual salary computation. A county collector subject to the provisions of this section shall not receive an annual compensation less than the total compensation being received by the county collector in that county for services rendered or performed for the period beginning March 1, 1987, and ending February 29, 1988. The county collector shall receive the same percentage adjustments provided by the county salary commissions for county officers in that county pursuant to section 50.333, RSMo. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of county collector on January 1, [1997] **2004**, or less than the total compensation being received for the services rendered or performed for the period beginning [March 1, 1987, and ending February 29, 1988] **January 1, 2004**. The salary shall be computed on the basis of the following schedule:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$29,000] 36,540
41,000,000 to 53,999,999	[30,000] 37,800
54,000,000 to 65,999,999	[32,000] 40,320
66,000,000 to 85,999,999	[34,000] 42,840
86,000,000 to 99,999,999	[36,000] 45,360
100,000,000 to 130,999,999	[38,000] 47,880
131,000,000 to 159,999,999	[40,000] 50,400
160,000,000 to 189,999,999	[41,000] 51,660
190,000,000 to 249,999,999	[41,500] 52,290
250,000,000 to 299,999,999	[43,000] 54,180
300,000,000 [or more] to 310,999,999	[45,000] 56,700
311,000,000 to 330,999,999	58,200
331,000,000 to 359,999,999	59,700
360,000,000 to 389,999,999	61,200
390,000,000 to 449,999,999	62,700
450,000,000 to 499,999,999	64,200
500,000,000 to 549,999,999	65,700
550,000,000 or more	67,200

2. Two thousand dollars of the salary authorized in this section shall be payable to the collector only if the collector has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the collector's office when approved by a professional association of the county collectors of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each collector who completes the training program and shall send a list of certified collectors to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county collector in the same manner as other expenses as may be appropriated for that purpose.

3. Any provision of law to the contrary notwithstanding, any fee provided for in section 52.250 or 52.275, when collected on ditch and levee taxes, shall not be collected on behalf of the county and deposited into the county general revenue fund. Such fee shall be retained by the collector as compensation for his services, in addition to any amount provided for such collector in this section. [Any fee which may be retained by the collector under the terms of such contract may be retained in addition to all other compensation provided by law.]

4. Except as provided in subsection 3 of this section, after the next general election following January 1, 1988, all fees collected by the collector shall be collected on behalf of the county and deposited in the county general revenue fund."; and

Further amend said bill, Page 14, Section 52.271, Line 11 of said page, by inserting after all of said line the following:

"53.082. 1. The county assessor in any county, other than in a first classification county, shall receive an annual salary computed as set forth in the following schedule provided in this subsection. **The salary shall be computed on an assessed valuation basis, without regard to modifications due to the existence of enterprise zones or financing under chapter 100, RSMo, as provided in this subsection.** The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of assessor on [September 1, 1997] **January 1, 2004.**

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$29,000] 36,540
41,000,000 to 53,999,999	[30,000] 37,800
54,000,000 to 65,999,999	[32,000] 40,320
66,000,000 to 85,999,999	[34,000] 42,840
86,000,000 to 99,999,999	[36,000] 45,360
100,000,000 to 130,999,999	[38,000] 47,880
131,000,000 to 159,999,999	[40,000] 50,400
160,000,000 to 189,999,999	[41,000] 51,660
190,000,000 to 249,999,999	[41,500] 52,290
250,000,000 to 299,999,999	[43,000] 54,180
300,000,000 [or more] to 310,999,999	[45,000] 56,700
311,000,000 to 330,999,999	58,200
331,000,000 to 359,999,999	59,700
360,000,000 to 389,999,999	61,200
390,000,000 to 449,999,999	62,700
450,000,000 to 499,999,999	64,200
500,000,000 to 549,999,999	65,700
550,000,000 or more	67,200

2. The compensation for county assessors in second, third and fourth classification counties for the term of office beginning September 1, [1997] **2005**, shall be calculated pursuant to the salary schedule in this section using the percentage increase approved by the county salary commission when establishing the compensation for the office of county assessor at the salary commission meeting in [1997] **2005**. This salary shall become effective on September 1, [1997] **2005**.

3. Two thousand dollars of the salary authorized in this section shall be payable to the assessor only if the assessor has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the assessor's office when approved by a professional association of the county assessors of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each assessor who completes the training program and shall send a list of certified assessors to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county assessor in the same manner as other expenses as may be appropriated for that purpose.

4. The county assessor in any county, except a first classification county, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county assessor in the particular county for services rendered or performed on the date the salary commission votes.

54.261. 1. The county treasurer in counties of the first classification, not having a charter form of government and containing a portion of a city with a population of three hundred thousand or more, and in counties of the second, third and fourth classifications of this state, shall receive as compensation for services performed by the treasurer an annual salary based upon the assessed valuation of the county. The provisions of this section shall not permit or require a reduction[, nor shall require an increase,] in the amount of compensation being paid for the office of treasurer on January 1, [2002] **2004**.

2. The amount of salary based upon assessed valuation shall be computed according to the following schedule:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$29,000] 36,540
41,000,000 to 53,999,999	[30,000] 37,800
54,000,000 to 65,999,999	[32,000] 40,320

66,000,000 to 85,999,999	[34,000] 42,840
86,000,000 to 99,999,999	[36,000] 45,360
100,000,000 to 130,999,999	[38,000] 47,880
131,000,000 to 159,999,999	[40,000] 50,400
160,000,000 to 189,999,999	[41,000] 51,660
190,000,000 to 249,999,999	[41,500] 52,290
250,000,000 to 299,999,999	[43,000] 54,180
300,000,000 [or more] to 310,999,999	[45,000] 56,700
311,000,000 to 330,999,999	58,200
331,000,000 to 359,999,999	59,700
360,000,000 to 389,999,999	61,200
390,000,000 to 449,999,999	62,700
450,000,000 to 499,999,999	64,200
500,000,000 to 549,999,999	65,700
550,000,000 or more	67,200

3. Two thousand dollars of the salary authorized in this section shall be payable to the treasurer only if the treasurer has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the treasurer's office when approved by a professional association of the county treasurers or county collectors of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each treasurer who completes the training program and shall send a list of certified treasurers to the county commission of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county treasurer in the same manner as other expenses as may be appropriated for that purpose.

4. The county treasurer in any county, other than a county of the first classification having a charter form of government or a county of the first classification not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall not, except upon two-thirds vote of all the members of the commission, receive an annual compensation in an amount less than the total compensation being received for the office of county treasurer in the particular county for services rendered or performed on the date the salary commission votes.

5. In the event of a vacancy in the office of treasurer in any county except a county of the first classification with a charter form of government, when there is no deputy treasurer, the county commission shall appoint a qualified acting treasurer until such time as the vacancy is filled by the governor pursuant to section 105.030, RSMo.

54.320. 1. The county treasurer ex officio collector in counties of the third and fourth classifications adopting township organization shall receive an annual salary as set forth in the following schedule. **The salary shall be computed on an assessed valuation basis, without regard to modifications due to the existence of enterprise zones or financing under chapter 100, RSMo, as provided in this subsection.** The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. A county treasurer ex officio collector subject to the provisions of this section shall not receive an annual compensation less than the total compensation being received by the county treasurer ex officio collector in that county for services rendered or performed for the period beginning March 1, 1987, and ending February 29, 1988. The county treasurer ex officio collector shall receive the same percentage adjustments provided by county salary commissions for county officers in that county pursuant to section 50.333, RSMo. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of county treasurer ex officio collector on January 1, [1997] **2004**, or less than the total compensation being received for the services rendered or performed for the period beginning [March 1, 1987, and ending February 29, 1988] **January 1, 2004**. The salary shall be computed on the basis of the following schedule:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$29,000] 36,540
41,000,000 to 53,999,999	[30,000] 37,800
54,000,000 to 65,999,999	[32,000] 40,320
66,000,000 to 85,999,999	[34,000] 42,840
86,000,000 to 99,999,999	[36,000] 45,360
100,000,000 to 130,999,999	[38,000] 47,880
131,000,000 to 159,999,999	[40,000] 50,400
160,000,000 to 189,999,999	[41,000] 51,660
190,000,000 to 249,999,999	[41,500] 52,290

250,000,000 to 299,999,999	[43,000] 54,180
300,000,000 to [449,999,999] 310,999,999	[45,000] 56,700
311,000,000 to 330,999,999	58,200
331,000,000 to 359,999,999	59,700
360,000,000 to 389,999,999	61,200
390,000,000 to 449,999,999	62,700
450,000,000 to 499,999,999	64,200
500,000,000 to 549,999,999	65,700
550,000,000 or more	67,200

In addition, the ex officio collector shall be allowed to retain a commission for the collection of all back taxes and all delinquent taxes of two percent on all sums collected to be added to the face of the tax bill, and collected from the party paying the tax. The ex officio collector shall be allowed a commission of three percent on all licenses, and all taxes, including current taxes, back taxes, delinquent taxes and interest collected by the ex officio collector, to be deducted from the amounts collected. The three percent allowed to be retained shall be withheld on behalf of the county and shall be deposited in the county treasury or as provided by law and beginning January 1, 1989, the two percent allowed to be retained for collection of all back taxes and delinquent taxes shall be withheld on behalf of the county and shall be deposited in the county treasury or as provided by law. **Notwithstanding any provisions of law to the contrary, or any other provision of law in conflict with the provisions of this section, the treasurer ex officio collector in each of the third and fourth classification counties which have adopted the township form of county government shall be allowed to employ not less than one full time deputy and is entitled to employ such a number of deputies and assistants, as may be necessary to promptly and correctly perform the duties of the office of treasurer ex officio collector, and for the deputies and assistants is allowed not less than the amount allowed in [1992 or 1993] 2001 or 2002, whichever is greater, and shall be allowed not less than any greater amount approved for any subsequent year.**

2. Two thousand dollars of the salary authorized in this section shall be payable to the treasurer ex officio collector only if such officer has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the treasurer ex officio collector's office when approved by a professional association of the county treasurers or county collectors of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each treasurer ex officio collector who completes the training program and shall send a list of certified treasurer ex officio collectors to the county commission of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county treasurer ex officio collector in the same manner as other expenses as may be appropriated for that purpose.

55.091. 1. The county auditor in any county, other than in a first classification chartered county or a first classification county not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall receive an annual salary computed on an assessed valuation basis as set forth in the following schedule. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of auditor on January 1, [1997] **2004**.

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	\$ 36,540
41,000,000 to 53,999,999	37,800
54,000,000 to 65,999,999	40,320
66,000,000 to 85,999,999	42,840
86,000,000 to 99,999,999	45,360
100,000,000 to 130,999,999	47,880
131,000,000 to [189,999,999] 159,999,999	[\$40,500] 50,400
160,000,000 to 189,999,999	51,660
190,000,000 to 249,999,999	[41,500] 52,290
250,000,000 to 299,999,999	[43,000] 54,180
300,000,000 to [399,999,999] 310,999,999	[45,000] 56,700
[400,000,000 to 499,999,999]	46,000]
311,000,000 to 330,999,999	58,200
331,000,000 to 359,999,999	59,700
360,000,000 to 389,999,999	61,200
390,000,000 to 449,999,999	62,700

450,000,000 to 499,999,999	64,200
500,000,000 [or more] to 549,999,999	[47,000] 65,700
550,000,000 or more	67,200

2. Two thousand dollars of the salary authorized in this section shall be payable to the auditor only if the auditor has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the auditor's office when approved by a professional association of the county auditors of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each auditor who completes the training program and shall send a list of certified auditors to the treasurer of each county. Expenses incurred attending the training session [may] **shall** be reimbursed to the county auditor in the same manner as other expenses as may be appropriated for that purpose.

3. The county auditor in any county, other than a first classification charter county, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation less than the total compensation being received for the office of county auditor in the particular county for services rendered or performed on the date the salary commission votes.

56.265. 1. The county prosecuting attorney in any county, other than in a chartered county, shall receive an annual salary computed using the following schedule, when applicable. The assessed valuation factor shall be the amount thereof as shown for the year immediately preceding the year for which the computation is done.

(1) For a full-time prosecutor the prosecutor shall receive compensation equal to the compensation of an associate circuit judge;

(2) For a part-time prosecutor:

Assessed Valuation	Amount
\$ 18,000,000 to 40,999,999	[\$37,000] 46,620
41,000,000 to 53,999,999	[38,000] 47,880
54,000,000 to 65,999,999	[39,000] 49,140
66,000,000 to 85,999,999	[41,000] 51,660
86,000,000 to 99,999,999	[43,000] 54,180
100,000,000 to 130,999,999	[45,000] 56,700
131,000,000 to 159,999,999	[47,000] 59,220
160,000,000 to 189,999,999	[49,000] 61,740
190,000,000 to 249,999,999	[51,000] 64,260
250,000,000 to 299,999,999	[53,000] 66,780
300,000,000 [or more] to 310,999,999	[55,000] 69,300
311,000,000 to 330,999,999	71,133
331,000,000 to 359,999,999	72,966
360,000,000 to 389,999,999	74,799
390,000,000 to 449,999,999	76,632
450,000,000 to 499,999,999	78,465
500,000,000 to 549,999,999	80,298
550,000,000 or more	82,131

2. Two thousand dollars of the salary authorized in this section shall be payable to the prosecuting attorney only if the prosecuting attorney has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the prosecuting attorney's office when approved by a professional association of the county prosecuting attorneys of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each prosecuting attorney who completes the training program and shall send a list of certified prosecuting attorneys to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county prosecuting attorney in the same manner as other expenses as may be appropriated for that purpose.

3. As used in this section, the term "prosecuting attorney" includes the circuit attorney of any city not within a county.

4. The prosecuting attorney of any county which becomes a county of the first classification during a four-year term of office or a county which passed the proposition authorized by section 56.363 shall not be required to devote full time to such office pursuant to section 56.067 until the beginning of the prosecuting attorney's next term of office or until the proposition otherwise becomes effective.

5. The provisions of section 56.066 shall not apply to full-time prosecutors who are compensated pursuant to subdivision (1) of subsection 1 of this section.

57.317. 1. The county sheriff in any county, other than in a first classification chartered county, shall receive an annual salary computed as set forth in the following schedule. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of sheriff on January 1, [1997] **2004**.

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$36,000] 45,360
41,000,000 to 53,999,999	[37,000] 46,620
54,000,000 to 65,999,999	[38,000] 47,880
66,000,000 to 85,999,999	[39,000] 49,140
86,000,000 to 99,999,999	[40,000] 50,400
100,000,000 to 130,999,999	[42,000] 52,920
131,000,000 to 159,999,999	[44,000] 53,440
160,000,000 to 189,999,999	[45,000] 56,700
190,000,000 to 249,999,999	[46,000] 57,960
250,000,000 to 299,999,999	[48,000] 60,480
300,000,000 to [449,999,999] 310,999,999	[50,000] 63,000
311,000,000 to 330,999,999	64,667
331,000,000 to 359,999,999	66,333
360,000,000 to 389,999,999	68,000
390,000,000 to 449,999,999	68,152
450,000,000 to [599,999,999] 499,999,999	[52,000] 72,574
500,000,000 to 599,999,999	72,689
600,000,000 to 749,999,999	[54,000] 73,256
750,000,000 to 899,999,999	[56,000] 74,125
900,000,000 to 1,049,999,999	[58,000] 75,181
1,050,000,000 to 1,199,999,999	[60,000] 77,673
1,200,000,000 to 1,349,999,999	[62,000] 79,621
1,350,000,000 [and over] to 1,549,999,999	[64,000] 81,031
1,550,000,000 to 1,699,999,999	82,658
1,700,000,000 to 1,849,999,999	84,285
1,850,000,000 to 1,999,999,999	85,912
2,000,000,000 and over	87,539

2. Two thousand dollars of the salary authorized in this section shall be payable to the sheriff only if the sheriff has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the sheriff's office when approved by a professional association of the county sheriffs of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each sheriff who completes the training program and shall send a list of certified sheriffs to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county sheriff in the same manner as other expenses as may be appropriated for that purpose.

3. The county sheriff in any county, other than a first classification charter county, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation less than the total compensation being received for the office of county sheriff in the particular county for services rendered or performed on the date the salary commission votes.

58.095. 1. The county coroner in any county, other than in a first classification chartered county, shall receive an annual salary computed on a basis as set forth in the following schedule. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of coroner on January 1, [1997] **2004**:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	[\$8,000] 10,080
41,000,000 to 53,999,999	[8,500] 10,710
54,000,000 to 65,999,999	[9,000] 11,340
66,000,000 to 85,999,999	[9,500] 11,970
86,000,000 to 99,999,999	[10,000] 12,600
100,000,000 to 130,999,999	[11,000] 13,860
131,000,000 to 159,999,999	[12,000] 15,120
160,000,000 to 189,999,999	[13,000] 16,380

190,000,000 to 249,999,999	[14,000] 17,640
250,000,000 to 299,999,999	[15,000] 18,900
300,000,000 or more	[16,000] 20,160

2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the coroner's office when approved by a professional association of the county coroners of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county coroner in the same manner as other expenses as may be appropriated for that purpose.

3. The county coroner in any county, other than a first classification charter county, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county coroner in the particular county for services rendered or performed on the date the salary commission votes.

4. For the term beginning in 1997, the compensation of the coroner, in counties in which the salary commission has not voted to pay one hundred percent of the maximum allowable salary, shall be a percentage of the maximum allowable salary established by this section. The percentage applied shall be the same percentage of the maximum allowable salary received or allowed, whichever is greater, to the presiding commissioner or sheriff, whichever is greater, of that county for the year beginning January 1, 1997. In those counties in which the salary commission has voted to pay one hundred percent of the maximum allowable salary, the compensation of the coroner shall be based on the maximum allowable salary in effect at each time a coroner's term of office commences following the vote to pay one hundred percent of the maximum allowable compensation. Subsequent compensation shall be determined as provided in section 50.333, RSMo.

5. Effective January 1, 1997, the county coroner in any county, other than a county of the first classification with a charter form of government, may, upon the approval of the county commission, receive additional compensation for any month during which investigations or other services are performed for three or more decedents in the same incident during such month. The additional compensation shall be an amount that when added to the regular compensation the sum shall equal the monthly compensation of the county sheriff."; and

Further amend said bill, Page 117, Section 304.010, Line 21 of said page, by inserting after all of said line the following:

"473.742. 1. Each public administrator in counties of the second, third or fourth classification and in the city of St. Louis shall make a determination within thirty days after taking office whether such public administrator shall elect to receive a salary as defined herein or receive fees as may be allowed by law to executors, administrators and personal representatives. The election by the public administrator shall be made in writing to the county clerk. Should the public administrator elect to receive a salary, the public administrator's office may not then elect to change at any future time to receive fees in lieu of salary.

2. If a public administrator elects to be placed on salary, the salary shall be based upon the average number of open letters in the two years preceding [the term when the salary is elected,] based upon the following schedule:

- (1) Zero to five letters: Salary shall be a minimum of [seven] **ten** thousand [five hundred] dollars;
- (2) Six to fifteen letters: Salary shall be a minimum of [fifteen] **twenty** thousand dollars;
- (3) Sixteen to twenty-five letters: Salary shall be a minimum of [twenty] **twenty-six** thousand dollars;
- (4) Twenty-six to thirty-nine letters: Salary shall be a minimum of [twenty-five] **thirty-three** thousand dollars;
- (5) Public administrators with forty or more letters shall be considered full-time county officials and shall be

paid according to the assessed valuation schedule set forth below:

Assessed valuation	Salary
\$ 8,000,000 to 40,999,999	[\$29,000] \$36,540
\$ 41,000,000 to 53,999,999	[\$30,000] \$37,800
\$ 54,000,000 to 65,999,999	[\$32,000] \$40,320
\$ 66,000,000 to 85,999,999	[\$34,000] \$42,840
\$ 86,000,000 to 99,999,999	[\$36,000] \$45,360
\$100,000,000 to 130,999,999	[\$38,000] \$47,880
\$131,000,000 to 159,999,999	[\$40,000] \$50,400
\$160,000,000 to 189,999,999	[\$41,000] \$51,660

\$190,000,000 to 249,999,999	[\$41,500] \$52,290
\$250,000,000 to 299,999,999	[\$43,000] \$54,180
\$300,000,000 to [449,999,999] 310,999,999	[\$45,000] \$56,700
\$[450,000,000 to 599,999,999] 311,000,000 to 330,999,999	[\$47,000] \$58,200
\$[600,000,000 to 749,999,999] 331,000,000 to 359,999,999	[\$49,000] \$59,700
\$[750,000,000 to 899,999,999] 360,000,000 to 389,999,999	[\$51,000] \$61,200
\$[900,000,000 to 1,049,999,999] 390,000,000 to 449,999,999	[\$53,000] \$62,700
\$[1,050,000,000 to 1,199,999,999] 450,000,000 to 499,999,999	[\$55,000] \$64,200
\$[1,200,000,000 to 1,349,999,999] 500,000,000 to 549,999,999	[\$57,000] \$65,700
\$ 650,000,000 to 799,999,999	\$67,200
\$ 800,000,000 to 949,999,999	\$68,700
\$ 950,000,000 to 1,099,999,999	\$70,200
\$1,100,000,000 to 1,249,999,999	\$71,700
\$1,250,000,000 to 1,399,999,999	\$73,200
\$1,400,000,000 to 1,549,999,999	\$74,700
\$1,550,000,000 to 1,699,999,999	\$76,200
\$1,700,000,000 to 1,849,999,999	\$77,700
\$1,850,000,000 to 1,999,999,999	\$79,200
\$[1,350,000,000] 2,000,000,000 and over	[\$59,000] \$80,700;

(6) The public administrator in the city of St. Louis shall receive a salary not less than sixty-five thousand dollars.

3. The initial compensation of the public administrator who elects to be put on salary shall be determined by the average number of letters for the two years preceding the term when the salary is elected. Salary increases or decreases according to the minimum schedule set forth in subsection 1 of this section shall be adjusted only after the number of open letters places the workload in a different subdivision for two consecutive years. Minimum salary increases or decreases shall only take effect upon a new term of office of the public administrator. The number of letters each year shall be determined in accordance with the reporting requirements set forth in law.

4. All fees collected by a public administrator who elects to be salaried shall be deposited in the county treasury or with the treasurer for the city of St. Louis.

5. Any public administrator in a county of the first classification [without a charter form of government] with a population of less than one hundred thousand inhabitants who elects to receive fees in lieu of a salary pursuant to this section may elect to join the Missouri local government employees' retirement system created pursuant to sections 70.600 to 70.755, RSMo."; and

Further amend Page 141, Section B, Line 8, by inserting after all of said line the following:

"Section C. Sections 49.082, 50.334, 50.343, 50.345, 51.281, 51.283, 52.269, 53.082, 54.261, 54.370, 55.091, 56.265, 57.317, 58.095, and 473.742 as repealed and reenacted or enacted by this act shall be effective January 1, 2006."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 21

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 17, Section 67.320, Line 29 of said page, by inserting after all of said line the following:

"5. Pursuant to Article IX of the Missouri Constitution, fines received by the county pursuant to this section shall be paid to the school districts in the county pursuant to chapter 166, RSMo."

Senate Amendment No. 23

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 70, Section 67.2535, Line 16, by inserting after said line the following:

"94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tipping houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of twenty-one dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of eleven dollars per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 25

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 16, Section 64.825, Line 28, by inserting after all of said line the following:

"64.930. 1. The county sports complex authority shall consist of five commissioners who shall be qualified voters of the state of Missouri, and residents of such county. The commissioners of the county commission by a majority vote thereof shall submit a panel of nine names to the governor who shall select with the advice and consent of the senate five commissioners from such panel, no more than three of which shall be of any one political party, who shall constitute the members of such authority; provided, however, that no elective or appointed official of any political subdivision of the state of Missouri shall be a member of the county sports complex authority.

2. The authority shall elect from its number a chairman and may appoint such officers and employees as it may require for the performance of its duties and fix and determine their qualifications, duties and compensation. No action of the authority shall be binding unless taken at a meeting at which at least three members are present and unless a majority of the members present at such meeting shall vote in favor thereof.

3. Such sports complex commissioners shall serve in the following manner: One for two years, one for three years, one for four years, one for five years, and one for six years. Successors shall hold office for terms of five years,

or for the unexpired terms of their predecessors. Each sports complex commissioner shall hold office until his successor has been appointed and qualified.

4. In the event a vacancy exists a new panel of three names shall be submitted by majority vote of the county commission to the governor for appointment. All such vacancies shall be filled within thirty days from the date thereof. **If the county commission has not submitted a panel of three names to the governor within thirty days of the expiration of a commissioner's term, the governor shall immediately make an appointment to the commission with the advice and consent of the senate. In the event the governor does not appoint a replacement, no commissioner shall continue to serve beyond the expiration of that commissioner's term.**

5. The compensation of the sports complex commissioners to be paid by the authority shall be determined by the sports complex commissioners, but in no event shall exceed the sum of three thousand dollars per annum. In addition, the sports complex commissioners shall be reimbursed by the authority for the actual and necessary expenses incurred in the performance of their duties. **No commissioner shall continue to serve beyond the expiration of that commissioner's term.**

64.940. 1. The authority shall have the following powers:

(1) To acquire by gift, bequest, purchase or lease from public or private sources and to plan, construct, operate and maintain, or to lease to others for construction, operation and maintenance a sports stadium, field house, indoor and outdoor recreational facilities, centers, playing fields, parking facilities and other suitable concessions, and all things incidental or necessary to a complex suitable for all types of sports and recreation, either professional or amateur, commercial or private, either upon, above or below the ground;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, including, but without limitation, the authority to enter into contracts with counties and other political subdivisions under sections 70.210 to 70.320, RSMo, and to sue and to be sued;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies or by the federal government or any agency or officer thereof or from any other source;

(5) To disburse funds for its lawful activities and fix salaries and wages of its officers and employees;

(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as hereinafter provided in this section:

(a) Bonds or notes issued hereunder shall be issued pursuant to a resolution adopted by the commissioners of the authority which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(b) Such bonds or notes shall bear interest at a rate not exceeding eight percent per annum and shall mature within a period not exceeding fifty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

(c) Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing the same. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost.

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including **any contributed funds and any** rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, or any part or parts thereof, acquired, constructed, improved or extended in whole or in part from the proceeds of such bonds or notes, including but not limited to stadium rentals, concessions, parking facilities and from funds derived from any other facilities or part or parts thereof, owned or operated by the authority, all or any part of which **contributed funds**, rents, revenues, receipts

and income the authority is authorized to pledge for the payment of said principal, interest, and redemption premium, if any. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation **by the authority**. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income herein referred to or any part thereof or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such manner and under such restrictions as the authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust.

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued.

(f) The resolution authorizing the issuance of any such bonds or notes may provide for the allocation of **contributions and of** rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes.

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded but such interest rate shall not exceed the maximum rate of interest hereinbefore provided.

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject, however, to the provisions of sections 64.920 to 64.950 and in the manner provided in chapter 523, RSMo; provided, however, that no property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivisions shall be taken by the authority without the authority or consent of such political subdivisions;

(8) To perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred by the general assembly or by act of congress.

2. The authority is authorized and directed to proceed to carry out its duties, functions and powers in accordance with sections 64.920 to 64.950 as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States to effectuate the same, except the power to levy taxes or assessments."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 25

AMEND Senate Amendment No. 25 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Pages 2-7, Section 64.940, by striking said section from the amendment.

Senate Amendment No. 26

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 126, Section 644.032, Line 18 of said page, by inserting immediately after said line the following:

"701.304. 1. A representative of the department, or a representative of a unit of local government or health department licensed by the department for this purpose, may conduct an inspection or a risk assessment at a dwelling or a child-occupied facility for the purpose of ascertaining the existence of a lead hazard under the following conditions:

(1) The department, owner of the dwelling, and an adult occupant of a dwelling which is rented or leased have been notified that an occupant of the dwelling or a child six or fewer years of age who regularly visits the child-occupied facility has been identified as having an elevated blood lead level as defined by rule; and

(2) The inspection or risk assessment occurs at a reasonable time; and

(3) The representative of the department or local government presents appropriate credentials to the owner or occupant; and

(4) Either the dwelling's owner or adult occupant or the child-occupied facility's owner or agent grants consent to enter the premises to conduct an inspection or risk assessment; or

(5) If consent to enter is not granted, the representative of the department, local government, or local health department may petition the circuit court for an order to enter the premises and conduct an inspection or risk assessment after notifying the dwelling's owner or adult occupant in writing of the time and purpose of the inspection or risk assessment at least forty-eight hours in advance. The court shall grant the order upon a showing that an occupant of the dwelling or a child six or fewer years of age who regularly visits the child-occupied facility has been identified as having an elevated blood lead level as defined by rule.

2. In conducting such an inspection or risk assessment, a representative of the department, or representative of a unit of local government or health department licensed by the department for this purpose, may remove samples necessary for laboratory analysis in the determination of the presence of a lead-bearing substance or lead hazard in the designated dwelling or child-occupied facility.

3. The director shall assess fees for licenses and accreditation **and levy fines** in accordance with rules promulgated pursuant to sections 701.300 to [701.330] **701.338**. All such fees **and fines** shall be deposited into the state treasury to the credit of the public health services fund established in section 192.900, RSMo.

4. In commercial lead production areas, if the department identifies lead hazards due to paint, mini-blinds, or other household products/sources in a property where a child has been identified with an EBL, the owner shall comply with the requirement for abating or establishing interim controls for the above stated hazards, in a manner consistent with the recommendations described by the department and within the applicable time period. Residential property owners in commercial lead production areas shall not be fined pursuant to this section after compliance with the requirement for abating or establishing interim controls established by the department per the initial risk assessment, or made to pay for any type of lead remediation necessary due to the commercial lead production and transport unless the commercial lead production or transport company, or their subsidiaries, agents, or successors owns the property.

701.305. The department of health and senior services shall provide on its Internet website educational information that explain the rights and responsibilities of the property owner and tenants of a dwelling and the lead inspectors, risk assessors, and the lead abatement contractors.

701.308. 1. Upon receipt of written notification of the presence of a lead hazard, the owner shall comply with the requirement for abating or establishing interim controls for the lead hazard in a manner consistent with the recommendations described by the department and within the applicable time period. If the dwelling or child-occupied facility is a rental or leased property, the owner may remove it from the rental market.

2. Except as provided in subsection 1 of this section, no tenant shall be evicted because an individual with an elevated blood lead level or with suspected lead poisoning resides in the dwelling, or because of any action required of the dwelling owner as a result of enforcement of sections 701.300 to 701.338. The provisions of this subsection shall not operate to prevent the owner of any such dwelling from evicting a tenant for any other reason as provided by law.

3. No child shall be denied attendance at a child-occupied facility because of an elevated blood lead level or suspected lead poisoning or because of any action required of the facility owner as a result of enforcement of sections 701.300 to 701.338. The provisions of this subsection shall not prevent the owner or agent of any such child-occupied facility from denying attendance for any other reason allowed by law.

4. A representative of the department, or a representative of a unit of local government or health department licensed by the department for this purpose, is authorized to re-enter a dwelling or child-occupied facility to determine if the required actions have been taken that will result in the reduction of lead hazards. If consent to enter is not granted, the representative of the department, local government, or local health department may petition the court for an order to enter the premises. The court shall grant the order upon a showing that the representative of the department, local government, or local health department has attempted

to notify the dwelling's owner or adult occupant in writing of the time and purpose of the re-entry at least forty-eight hours in advance.

5. [Whenever] **Upon re-entry, if** the department[, or a representative of a unit of local government[, or local health department licensed by the department for this purpose, finds[, after providing written notification to the owner,] that **the owner has not taken the** required actions which [will result] **have resulted** in the reduction of [a] lead [hazard in a dwelling or child-occupied facility have not been taken] **hazards**, the owner shall be deemed to be in violation of sections 701.300 to 701.338. Such violation shall not by itself create a cause of action. The department or the local government or local health department shall:

- (1) Notify in writing the owner found to be causing, allowing or permitting the violation to take place; and
- (2) Order that the owner of the dwelling or child-occupied facility shall cease and abate causing, allowing or permitting the violation and shall take such action as is necessary to comply with this section and the rules promulgated pursuant to this section.

[5.] 6. If [no action is taken pursuant to subsection 4 of this section which would result in abatement or interim control of the lead hazard within the stated time period], **upon re-entry, the lead hazard has not been reduced**, the following steps may be taken:

- (1) The local health officer and local building officials may, as practical, use such community or other resources as are available to effect the relocation of the individuals who occupied the affected dwelling or child-occupied facility until the owner complies with the notice; or
- (2) The department[, or representative of a unit of local government or health department licensed by the department for this purpose, [shall] **may** report any violation of sections 701.300 to 701.338 to the prosecuting attorney of the county in which the dwelling or child-occupied facility is located and notify the owner that such a report has been made. The prosecuting attorney shall seek injunctive relief to ensure that the lead hazard is abated or that interim controls are established.

7. In addition to the injunctive relief provided in subdivision (2) of subsection 6 of this section, the court may impose a fine against the owner of the dwelling or child-occupied facility found to be in violation of any provision of sections 701.300 to 701.338. The amount of such fine shall reflect the seriousness or potential seriousness of the threat to human health and the environment posed by the violation, but shall not exceed ten thousand dollars. The fine shall not be less than five thousand dollars if said owner has failed to reduce identified lead hazards upon a showing that:

- (1) Said property owner has been notified that an occupant or child less than six years of age dwelling in his property has an elevated blood lead level pursuant to section 701.306;
- (2) That re-entry by the department under subsection 5 of this section revealed that the required actions to reduce the lead hazards were not taken; and
- (3) Another occupant or child less than six years of age dwelling in his property is identified with an elevated blood lead level.

701.309. 1. At least ten days prior to the onset of a lead abatement project, the lead abatement contractor conducting such an abatement project shall:

- (1) Submit to the department a written notification as prescribed by the department; and
- (2) Pay a notification fee of twenty-five dollars.

2. In addition to the specified penalties in section 701.320, failure to notify the department prior to the onset of a lead abatement project shall result in a fine levied by the department of one thousand dollars imposed against the lead abatement contractor for the first identified offense, two thousand dollars for the second identified offense, and thereafter, fines shall be doubled for each identified offense.

3. The lead abatement contractor shall inform the owners and tenants of a dwelling that information regarding potential lead hazards can be accessed on the department's Internet website.

4. If the lead abatement contractor is unable to comply with the requirements of subsection 1 of this section because of an emergency situation as defined by rule, the contractor shall:

- (1) Notify the department by other means of communication within twenty-four hours of the onset of the project; and
- (2) Submit the written notification and notification fee prescribed in subsection 1 of this section to the department no more than five days after the onset of the project.

5. Upon completion of the abatement, the lead abatement contractor shall submit to the department written notification and the final clearance inspection report.

701.311. 1. Any authorized representative of the department who presents appropriate credentials may, at all reasonable times, enter public or private property to conduct compliance inspections of lead abatement contractors as

may be necessary to implement the provisions of sections 701.300 to 701.338 and any rules promulgated pursuant to sections 701.300 to 701.338.

2. It is unlawful for any person to refuse entry or access requested for inspecting or determining compliance with sections 701.300 to 701.338. A suitably restricted search warrant, upon a showing of probable cause in writing and upon oath, shall be issued by any circuit or associate circuit judge having jurisdiction for the purpose of enabling such inspections.

3. Whenever the director determines through a compliance inspection that there are reasonable grounds to believe that there has been a violation of any provision of sections 701.300 to 701.338 or the rules promulgated pursuant to sections 701.300 to 701.338, the director shall give notice of such alleged violation to the owner or person responsible, as provided in this section. The notice shall:

- (1) Be in writing;
- (2) Include a statement of the reasons for the issuance of the notice;
- (3) Allow reasonable time as determined by the director for the performance of any act the notice requires;
- (4) Be served upon the property owner or person responsible as the case may require, provided that such notice shall be deemed to have been properly served upon such person when a copy of such notice has been sent by registered or certified mail to the person's last known address as listed in the local property tax records concerning such property, or when such person has been served with such notice by any other method authorized by law;
- (5) Contain an outline of corrective action which is required to effect compliance with sections 701.300 to 701.338 and the rules promulgated pursuant to sections 701.300 to 701.338.

4. In the event the department is required to revisit an abatement project, either because a contractor is not present for the notification visit referenced in section 701.309 or because the contractor is found in violation of a provision of sections 701.300 to 701.338 or any regulation promulgated thereunder, the lead abatement contractor shall pay a fee of one hundred and fifty dollars per re-visit.

5. If an owner or person files a written request for a hearing within ten days of the date of receipt of a notice, a hearing shall be held within thirty days from the date of receipt of the notice before the director or the director's designee to review the appropriateness of the corrective action. The director shall issue a written decision within thirty days of the date of the hearing. Any final decision of the director may be appealed to the administrative hearing commission as provided in chapter 621, RSMo. Any decision of the administrative hearing commission may be appealed as provided in sections 536.100 to 536.140, RSMo.

[5.] 6. The attorney general or the prosecuting attorney of the county in which any violation of sections 701.300 to 701.338 or the rules promulgated pursuant to sections 701.300 to 701.338, occurred shall, at the request of the city, county or department, institute appropriate proceedings for correction.

[6.] 7. When the department determines that an emergency exists which requires immediate action to protect the health and welfare of the public, the department is authorized to seek a temporary restraining order and injunction. Such action shall be brought at the request of the director by the local prosecuting attorney or the attorney general. For the purposes of this subsection, an "emergency" means any set of circumstances that constitutes an imminent health hazard or the threat of an imminent health hazard.

8. In addition to any other penalty provided by law, the department may assess a fine in a maximum amount not to exceed one thousand dollars for the first violation and five thousand dollars for each subsequent violation against any inspector, risk assessor, lead abatement worker, lead abatement supervisor, project designer, or contractor licensed by the department who violates a provision of sections 701.300 to 701.338, or any rule promulgated thereunder. In the cases of a continuing violation, every day such violation continues shall be deemed a separate violation.

701.312. 1. The director of the department of health and senior services shall develop a program to license lead inspectors, risk assessors, lead abatement supervisors, lead abatement workers, project designers and lead abatement contractors. The director shall promulgate rules and regulations including, but not limited to:

- (1) The power to issue, restrict, suspend, revoke, deny and reissue licenses;
- (2) The ability to enter into reciprocity agreements with other states that have similar licensing provisions;
- (3) Fees for any such licenses;
- (4) Training, education and experience requirements; and
- (5) The implementation of work practice standards, reporting requirements and licensing standards.

2. [The director shall issue temporary risk assessor licenses to persons who, as of August 28, 1998, are licensed by the department as lead inspectors. The temporary risk assessor licenses issued pursuant to this subsection shall expire upon the same date as the expiration date of such person's lead inspector license. The director shall set forth standards and conditions under which temporary risk assessor licenses shall be issued.] **The director shall require, as a condition**

of licensure, lead abatement contractors to purchase and maintain liability insurance. The director shall require a licensee or an applicant for licensure to provide evidence of their ability to indemnify any person that may suffer damage from lead-based paint activities of which the licensee or applicant may be liable. The licensee or applicant may provide proof of liability insurance in an amount to be determined by the director which shall not be less than three hundred thousand dollars.

701.313. 1. Any local community organization, government agency, or quasi-government agency issuing grants or loans for lead abatement projects must provide written notification to the department no later than ten days prior to the onset of a lead abatement project. The written notification shall include, but not be limited to, the name of the lead abatement contractor, the address of the property on which the lead abatement project shall be conducted, and the date on which the lead abatement project will be conducted.

2. If the local community organization, government agency, or quasi-government agency fails to provide written notification for each property pursuant to subsection 1 of this section, a fine of two hundred fifty dollars shall be levied by the department.

3. If the local community organization, government agency, or quasi-government agency is unable to comply with the requirements in subsection 1 of this section due to an emergency situation, as defined by the department, the local community organization, government agency, or quasi-government agency shall:

(1) Notify the department by other means of communication within twenty-four hours of the onset of the lead abatement project; and

(2) Provide written notification to the department no later than five days after the onset of the lead abatement project.

701.320. 1. Except as otherwise provided, violation of the provisions of sections 701.308, 701.309, 701.310, 701.311 and 701.316 is a class A misdemeanor.

2. Any subsequent violation of the provisions of sections 701.308, 701.309, 701.310, 701.311, and 701.316 is a class D felony.

701.336. 1. The department of health and senior services shall cooperate with the federal government in implementing subsections (d) and (e) of 15 U.S.C. 2685 to establish public education activities and an information clearinghouse regarding childhood lead poisoning. The department may develop additional educational materials on lead hazards to children, lead poisoning prevention, lead poisoning screening, lead abatement and disposal, and on health hazards during abatement.

2. The department of health and senior services and the department of social services, in collaboration with related not-for-profit organizations, American Academy of Pediatrics, health maintenance organizations, and the Missouri consolidated health care plan, shall devise an educational strategy to increase the number of children who are tested for lead poisoning under the Medicaid program. The goal of the educational strategy is to have seventy-five percent of the children who receive Medicaid tested for lead poisoning by August 28, 2008. The educational strategy shall be implemented over a three-year period and shall be in accordance with all federal laws and regulations.

3. The division of family services, in collaboration with the department of health and senior services, shall regularly inform eligible clients of the availability and desirability of lead screening and treatment services, including those available through the early and periodic screening, diagnosis, and treatment (EPSDT) component of the Medicaid program.

4. The department of social services shall seek Medicaid waivers for the funding of lead prevention cleaning treatments and lead hazard reduction measures in the properties of Medicaid recipients. The department shall coordinate with the department of health and senior services to ensure that priority homes receive the appropriate funding and that risk assessments are conducted for the purpose of identifying lead hazards in properties.

701.342. 1. The department of health and senior services shall, using factors established by the department, including but not limited to the geographic index from data from testing reports, identify geographic areas in the state that are at high risk for lead poisoning. All children six months of age through six years of age who reside or spend more than ten hours a week in an area identified as high risk by the department shall be tested annually for lead poisoning.

2. Every child six months through six years of age not residing or spending more than ten hours a week in geographic areas identified as high risk by the department shall be assessed annually using a questionnaire to determine whether such child is at high risk for lead poisoning. The department, in collaboration with the department of social services, shall develop the questionnaire, which shall follow the recommendations of the federal Centers for Disease Control and Prevention. The department may modify the questionnaire to broaden the scope of the high-risk category. Local boards or commissions of health may add questions to the questionnaire.

3. Every child deemed to be at high risk for lead poisoning according to the questionnaire developed pursuant to subsection 2 of this section shall be tested using a blood sample.

4. Any child deemed to be at high risk for lead poisoning pursuant to this section who resides in housing currently undergoing renovations may be tested at least once every six months during the renovation and once after the completion of the renovation.

5. The department of social services, in collaboration with the department of health and senior services, shall ensure that all children six months through six years of age who are in foster care in geographic areas identified as high risk by the department are tested annually for lead poisoning. The costs of the testing shall be paid through the state Medicaid program. If a child who is in foster care and resides in a high risk area is not eligible for Medicaid, the costs of the testing shall be paid by the state.

6. Any laboratory providing test results for lead poisoning pursuant to sections 701.340 to 701.349 shall notify the department of the test results of any child tested for lead poisoning as required in section 701.326. Any child who tests positive for lead poisoning shall receive follow-up testing in accordance with rules established by the department. The department shall, by rule, establish the methods and intervals of follow-up testing and treatment for such children.

[6.] 7. When the department is notified of a case of lead poisoning, the department shall require the testing of all other children less than six years of age, and any other children or persons at risk, as determined by the director, who are residing or have recently resided in the household of the lead-poisoned child."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 27

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 83, Section 144.030, Line 27, by inserting immediately after the word "activities" the following:

"and all sales made by or to any organization that has been granted tax exempt status under section 501 (c) (3) of the United States Internal Revenue Code of 1986, as amended, in its tax-exempt and activities".

Senate Amendment No. 28

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 122, Section 479.020, Line 2, by inserting immediately after said line the following:

"488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

4. In addition to any fee authorized by subsection 1 of this section, in any county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, such county may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court.

488.429. 1. Moneys collected pursuant to section 488.426 shall be payable to the judges of the circuit court, en banc, of the county from which such surcharges were collected, or to such person as is designated by local circuit court rule as treasurer of said fund, and said fund shall be applied and expended under the direction and order of the judges of the circuit court, en banc, of any such county for the maintenance and upkeep of the law library maintained by the bar association in any such county, or such other law library in any such county as may be designated by the judges of the circuit court, en banc, of any such county; provided, that the judges of the circuit court, en banc, of any such county, and the officers of all courts of record of any such county, shall be entitled at all reasonable times to use the library to the support of which said funds are applied.

2. In any county [of the first classification without a charter form of government and with a population of at least two hundred thousand, such fund may also be applied and expended for also be applied and expended for courtroom renovation and technology enhancement [in those counties], **or for debt service on county bonds for such renovation or enhancement projects.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 30

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 74, Section 94.578, Line 6, by inserting immediately after all of said line the following:

"135.481. 1. (1) Any taxpayer who incurs eligible costs for a new residence located in a distressed community or within a census block group as described in subdivision (10) of section 135.478, or for a multiple unit condominium described in subdivision (2) of this subsection, shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed forty thousand dollars per new residence in any ten-year period.

(2) For the purposes of this section, a **"multiple unit condominium"** is one that is intended to be owner occupied, which is constructed on property subject to an industrial development contract as defined in section 100.310, RSMo, and which lies within an area with a city zoning classification of urban redevelopment district established after January 1, 2000, and before December 31, 2001, and which is constructed in connection with the qualified rehabilitation of a structure more than ninety years old eligible for the historic structures rehabilitation tax credit described in sections 253.545 to 253.559, RSMo, and is under way by January 1, 2000, and completed by January 1, 2002.

2. Any taxpayer who incurs eligible costs for a new residence located within a census block as described in subdivision (6) of section 135.478 shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed twenty-five thousand dollars per new residence in any ten-year period.

3. Any taxpayer who is not performing substantial rehabilitation and who incurs eligible costs for rehabilitation of an eligible residence or a qualifying residence shall receive a tax credit equal to twenty-five percent of such costs against his or her tax liability. The minimum eligible costs for rehabilitation of an eligible residence shall be ten thousand dollars. The minimum eligible costs for rehabilitation of a qualifying residence shall be five thousand dollars. The tax credit shall not exceed twenty-five thousand dollars in any ten-year period.

4. Any taxpayer who incurs eligible costs for substantial rehabilitation of a qualifying residence shall receive a tax credit equal to thirty-five percent of such costs against his or her tax liability. The minimum eligible costs for substantial rehabilitation of a qualifying residence shall be ten thousand dollars. The tax credit shall not exceed seventy thousand dollars in any ten-year period.

5. A taxpayer shall be eligible to receive tax credits for new construction or rehabilitation pursuant to only one subsection of this section.

6. No tax credit shall be issued pursuant to this section for any structure which is in violation of any municipal or county property, maintenance or zoning code.

7. No tax credit shall be issued pursuant to sections 135.475 to 135.487 for the construction or rehabilitation of rental property.

8. Any taxpayer who has obtained approvals of multiple phase projects before December 31, 2004, and who incurs eligible costs for a new residence in an area described in subsection 2 of this section which is constructed on property subject to the industrial development provisions of sections 100.300 to 100.600 and which lies within an area with a city zoning classification of urban redevelopment district, may reallocate the tax credits within the phases in an amount not to exceed thirty-five percent of such costs up to seventy thousand dollars per residence in any ten-year period."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 31

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 & 1161, Page 123, Section 537.550, Line 25, by striking all of said section; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1305**, entitled:

An act to repeal sections 383.010, 383.015, 383.030, and 383.035, RSMo, and to enact in lieu thereof five new sections relating to malpractice insurance.

With Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

Senate Amendment No. 1
to
Senate Amendment No. 1

AMEND Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1305, Page 5, Section 383.151, Lines 22-24, by striking all of said lines and inserting in lieu thereof the following: “**health care providers.**”; and

Further amend said amendment, Page 10, Section 383.200, Line 2, by inserting after said line the following:

“7. The provisions of this section shall only apply to insurers who issue policies of medical malpractice insurance.”.

Senate Amendment No. 2
to
Senate Amendment No. 1

AMEND Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1305, Page 2, Section 135.163, Line 28 of said page, by inserting immediately after said line the following:

“354.001. 1. Any health services corporation, health maintenance organization, or other entity organized pursuant to this chapter shall not require, as a condition of participation in the provider network of the corporation, organization, or other entity, that a physician maintain a medical malpractice insurance policy that is deemed by the director of the department of insurance to be excessive.

2. The director of the department of insurance is authorized to promulgate rules and regulations to effectuate the purposes of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1305, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“135.163. 1. For all tax years beginning on or after January 1, 2005, in order to encourage the retention of physicians and other health care providers in this state, an eligible taxpayer shall be allowed a credit not to exceed fifteen thousand dollars per eligible taxpayer against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, in an amount of up to fifteen percent of the increase in amount paid by an eligible taxpayer for medical malpractice insurance premiums in the aggregate from one policy period to the next immediate policy period. For purposes of this section, the base policy period for calculation of the credit shall be the medical malpractice insurance policy in effect on August 28, 2004.

2. The tax credit allowed by this section shall be claimed by the taxpayer at the time such taxpayer files a return. Any amount of tax credit which exceeds the tax due shall be carried over to any of the next five subsequent taxable years, but shall not be refunded and shall not be transferable.

3. The director of the department of insurance and the director of the department of revenue shall jointly administer the tax credit authorized by this section. The director of the department of insurance shall enact procedures to verify the amount of the allowable credit and shall issue a certificate to each eligible taxpayer that certifies the amount of the allowable credit. Any taxpayer seeking the credit shall submit the required certification documents, as determined by the department of insurance, by December thirty-first of the year for which the credit will be claimed. By January thirty-first of each year, the department shall approve or disapprove the credits and equally prorate all credits, if necessary, to meet the restrictions of subsection 4 of this section. Both the director of the department of insurance and the director of the department of revenue are authorized to promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

4. The tax credits issued pursuant to this section shall not exceed a total for all tax credits issued of fifteen million dollars per fiscal year.

379.316. 1. Section 379.017 and sections 379.316 to 379.361 apply to insurance companies incorporated pursuant to sections 379.035 to 379.355, section 379.080, sections 379.060 to 379.075, sections 379.085 to 379.095, sections 379.205 to 379.310, and to insurance companies of a similar type incorporated pursuant to the laws of any other state of the United States, and alien insurers licensed to do business in this state, which transact fire and allied lines, marine and inland marine insurance, to any and all combinations of the foregoing or parts thereof, and to the combination of fire insurance with other types of insurance within one policy form at a single premium, on risks or operations in this state, except:

- (1) Reinsurance, other than joint reinsurance to the extent stated in section 379.331;
- (2) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured pursuant to marine, as distinguished from inland marine, insurance policies;
- (3) Insurance against loss or damage to aircraft;
- (4) All forms of motor vehicle insurance; and
- (5) All forms of life, accident and health, [and] workers' compensation insurance, **and medical malpractice liability insurance.**

2. Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the director, or as established by general custom of the business, as inland marine insurance.

3. Commercial property and commercial casualty insurance policies are subject to rate and form filing requirements as provided in section 379.321.”; and

Further amend said bill, Page 3, Section 383.010, Line 53, by inserting immediately after said line the following:

“383.112. Any insurer or self-insured health care provider that fails to timely report claims information as required by sections 383.100 to 383.125 shall be subject to the provisions of section 374.215, RSMo.”; and

Further amend said bill, Page 7, Section 383.035, Line 116, by inserting immediately after said line the following:

“383.150. As used in sections 383.150 to 383.195, the following terms shall mean:

(1) “Association” [means], the joint underwriting association established pursuant to the provisions of sections 383.150 to 383.195;

(2) “Competitive bidding process”, a process under which the director seeks, and insurers may submit, rates at which insurers guarantee to provide medical malpractice liability insurance to any health care provider unable to obtain such insurance in the voluntary market;

(3) “Director” [means], the director of the department of insurance;

[(3)] (4) “Health care provider” includes physicians, dentists, clinical psychologists, pharmacists, optometrists, podiatrists, registered nurses, physicians' assistants, chiropractors, physical therapists, nurse anesthetists, anesthetists, emergency medical technicians, hospitals, nursing homes and extended care facilities; but shall not include any nursing service or nursing facility conducted by and for those who rely upon treatment by spiritual means alone in accordance with the creed or tenets of any well-recognized church or religious denomination;

[(4)] (5) “Medical malpractice insurance” [means], insurance coverage against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as a result of the negligence or malpractice in rendering professional service by any health care provider;

[(5)] (6) “Net direct premiums” [means], gross direct premiums written on casualty insurance in the state of Missouri by companies authorized to write casualty insurance under chapter 379, RSMo 1969, in the state of Missouri, less return premiums thereon and dividends paid or credited to policyholders on such direct business.

383.151. When the department determines after a public hearing that medical malpractice liability insurance is not reasonably available for health care providers in the voluntary market, the director shall establish a method for providing such insurance to such health care providers. The director may:

(1) Establish a competitive bidding process under which insurers may submit rates at which they agree to insure such health care providers; or

(2) Establish any other method reasonably designed to provide insurance to such health care providers.

383.200. 1. As used in sections 383.200 to 383.225, the following terms mean:

(1) “Director”, the same meaning as such term is defined in section 383.100;

(2) “Health care provider”, the same meaning as such term is defined in section 383.100;

(3) “Insurer”, an insurance company licensed in this state to write liability insurance, as described in section 379.010, RSMo;

(4) “Medical malpractice insurance”, the same meaning as such term is defined in section 383.200.

2. The following standards and procedures shall apply to the making and use of rates pertaining to all classes of medical malpractice insurance:

(1) Rates shall not be excessive, inadequate, or unfairly discriminatory. A rate is excessive if it is unreasonably high for the insurance provided. A rate is inadequate if it is unreasonably low for the insurance provided and continued use of it would endanger the solvency of the company. A rate is unfairly discriminatory if it does not reflect equitably differences in reasonably expected losses and expenses;

(2) (a) Every insurer that desires to increase a rate by less than fifteen percent shall file such rate, along with data supporting the rate change as prescribed by the director, no later than thirty days after such rate becomes effective. Filings under this paragraph shall not be subject to approval or disapproval by the director.

(b) Every insurer that desires to increase a rate by fifteen percent or more shall submit a complete rate application to the director. A complete rate application shall include all data supporting the proposed rate and such other information as the director may require. The applicant shall have the burden of proving that the requested rate change is justified and meets the requirements of this act. No insurer that is required to file an application pursuant to this paragraph shall increase the subject rate until a rate increase has been approved pursuant to subsection 2 or 3 of this section.

(c) Every insurer that has filed a rate increase under paragraph (a) of this subdivision for two consecutive years and in the third year desires to file a rate increase which in the aggregate over the three-year period will equal or exceed a total rate increase of forty percent or more shall be required to submit a complete rate application under paragraph (b) of this subdivision.

(d) Every insurer that has not filed or had a rate increase approved for three consecutive years may file a rate increase in the fourth year in an amount not to exceed a twenty-five percent increase without being required to submit a complete rate application under paragraph (b) of this subdivision;

(3) The director of insurance shall promulgate rules setting forth standards that insurers shall adhere to in calculating their rates. Such rules shall:

- (a) Establish a range within which an expected rate of return shall be presumed reasonable;
- (b) Establish a range within which categories of expenses shall be presumed reasonable;
- (c) Establish a range for the number of years of experience an insurer may consider in determining an appropriate loss development factor;
- (d) Establish a range for the number of years of experience an insurer may consider in determining an appropriate trend factor;
- (e) Establish a range for the number of years of experience an insurer may consider in determining an appropriate increased limits factor;
- (f) Establish the proper weights to be given to different years of experience;
- (g) Establish the extent to which an insurer may apply its subjective judgment in projecting past cost data into the future;

(h) Establish any other standard deemed reasonable and appropriate by the director;

(4) The director shall require an insurer to submit with any rate change application:

(a) A comparison, in a form prescribed by the director, between the insurer's initial projected incurred losses and its ultimate incurred losses for the eight most recent policy years for which such data is available;

(b) A memorandum explaining the methodology the insurer has used to reflect the total investment income it reasonably expects to earn on all its assets during the period the proposed rate is to be in effect. The director shall disapprove any rate application that does not fully reflect all such income;

(5) The director shall notify the public of any application from an insurer seeking a rate increase of fifteen percent or more, and shall hold a hearing on such application within forty-five days of such notice. The application shall be deemed approved ninety days after such notice unless it is disapproved by the director after the hearing;

(6) If after a hearing the director finds any rate of an insurer to be excessive, the director may order that the insurer discontinue the use of the rate and that the insurer refund the excessive portion of the rate to any policyholder who has paid such rate. The director shall not be required to find that a reasonable degree of competition does not exist to find a rate excessive.

3. For insurers required to file pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, if there is insufficient experience within the state of Missouri upon which a rate can be based with respect to the classification to which such rate is applicable, the director may approve a rate increase that considers experiences within any other state or states which have a similar cost of claim and frequency of claim experience as this state. If there is insufficient experience within Missouri or any other states which have similar cost of claim and frequency of claim experience as Missouri, nationwide experience may be considered. The insurer in its rate increase filing shall expressly show the rate experience it is using.

4. All information provided to the director under this section shall be available for public inspection.

5. The remedies set forth in this chapter shall be in addition to any other remedies available under statutory or common law.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

383.205. For all medical malpractice insurance policies written for insureds in the state of Missouri, the ratio between the base rate of the highest-rated specialty and the base rate of the lowest-rated specialty shall be no more than a ratio of six-to-one.

383.210. In determining the premium paid by any health care provider, a medical malpractice insurer shall apply a credit or debit based on the provider's loss experience, or shall establish an alternative method giving due consideration to the provider's loss experience. The insurer shall include a schedule of all such credits and debits, or a description of such alternative method in all filings it makes with the director of insurance. No

medical malpractice insurer may use any rate or charge any premiums unless it has filed such schedule or alternative method with the director of insurance and the director has approved such schedule or alternative method. A debit shall be based only on those claims that have been paid on behalf of the provider.

383.215. On or before March first of each year, every insurer providing medical malpractice insurance to a health care provider shall file the following information with the director of insurance:

(1) Information on closed claims:

(a) The number of new claims reported during the preceding calendar year, and the total amounts of reserve for such claims and for allocated loss adjustment expenses in connection with such claims;

(b) The number of claims closed during the preceding year, and the amount paid on such claims, detailed as follows:

a. The number of claims closed each year with payment, and the amount paid on such claims and on allocated loss adjustment expenses in connection with such claims;

b. The number of claims closed each year without payment, and the amount of allocated loss adjustment expenses in connection with such claims;

(2) Information regarding judgments, payment, and severity of injury in connection with judgements:

(a) For each judgment rendered against an insurer for more than one hundred thousand:

a. The amount of the judgment and the amount actually paid to the plaintiff;

b. The category of injury suffered by the plaintiff. Injuries shall be categorized as follows:

Category 1: Temporary injury, emotional only.

Category 2: Temporary insignificant injury, including lacerations, contusions, minor scars, and rash.

Category 3: Temporary minor injury, including infections, missed fractures, and falls in hospitals.

Category 4: Temporary major injury, including burns, left surgical material, drug side effects, and temporary brain damage.

Category 5: Permanent minor injury, including loss of fingers, and loss or damage to organs.

Category 6: Permanent significant injury, including deafness, loss of limb, loss of eye, and loss of one kidney or lung.

Category 7: Permanent major injury, including paraplegia, blindness, loss of two limbs, and brain damage.

Category 8: Permanent grave injury, including quadriplegia, severe brain damage, and any injury requiring lifelong care or having a fatal prognosis.

Category 9: Death;

(3) Information on each rate change implemented during the preceding five-year period by state and medical specialty;

(4) Information on premiums and losses by medical specialty:

(a) Written premiums and paid losses for the preceding year, and earned premiums and incurred losses for the preceding year, with specifics by medical specialty;

(b) Number of providers insured in each medical specialty;

(5) Information on premiums and losses by experience of the insured:

(a) Written premiums and paid losses for the preceding year, and earned premiums and incurred losses for the preceding year, with specifics as follows:

a. As to all insureds with no incidents within the preceding five-year period;

b. As to all insureds with one incident within the preceding five-year period;

c. As to all insureds with two incidents within the preceding five-year period;

d. As to all insureds with three or more incidents within the preceding five-year period;

(b) Number of providers insured:

a. With no incidents within the preceding five-year period;

b. With one incident within the preceding five-year period;

c. With two incidents within the preceding five-year period;

d. With three or more incidents within the preceding five-year period;

(6) Information on the performance of the investments of the insurer, including the value of the investments held in the portfolio of the insurer as of December thirty-first of the preceding calendar year, and the rate of return on such investments, detailed by category of investment as follows:

(a) United States government bonds;

(b) Bonds exempt from federal taxation;

(c) Other unaffiliated bonds;

- (d) Bonds of affiliates;
- (e) Unaffiliated preferred stock;
- (f) Preferred stock of affiliates;
- (g) Unaffiliated common stock;
- (h) Common stock of affiliates;
- (i) Mortgage loans;
- (j) Real estate; and
- (k) Any additional categories of investments specified by the director of insurance.

383.220. 1. On or before July 1, 2005, and after consultation with the medical malpractice insurance industry, the director shall establish an interactive Internet site which will enable any health care provider licensed in this state to obtain a quote from each medical malpractice insurer licensed to write the type of coverage sought by the provider.

2. The Internet site shall enable health care providers to complete an online form that captures a comprehensive set of information sufficient to generate a quote for each insurer. The director shall develop transmission software components which allow such information to be formatted for delivery to each medical malpractice insurer based on the requirements of the computer system of the insurer.

3. The director shall integrate the rating criteria of each insurer into its online form after consultation with each insurer using one of the following methods:

- (1) Developing a customized interface with the insurer's own rating engine;
- (2) Accessing a third-party rating engine of the insurer's choice;
- (3) Loading the insurer's rating information into a rating engine operated by the director;
- (4) Any other method agreed on between the director and the insurer.

4. After a health care provider completes the online form, the provider will be presented with quotes from each medical malpractice insurer licensed to write the coverage requested by the provider.

5. Quotes provided on the Internet site shall at all times be accurate. When an insurer changes its rates, such rate changes shall be implemented at the Internet site by the director, in consultation with the insurer, as soon as practicable but in no event later than ten days after such changes take effect. During any period in which an insurer has changed its rates but the director has not yet implemented such changed rates on the Internet site, quotes for that insurer shall not be obtainable at the Internet site.

6. The director shall design the Internet site to incorporate user-friendly formats and self-help guideline materials, and shall develop a user-friendly Internet user-interface.

7. The Internet site shall also provide contact information, including address and telephone number, for each medical malpractice insurer for which a provider obtains a quote at the Internet site.

8. By December 31, 2005, the director shall submit a report to the general assembly on the development, implementation, and affects of the Internet site established by this section. The report shall be based on:

- (1) The director's consultation with health care providers, medical malpractice insurers, and other interested parties; and
- (2) The director's analysis of other information available to the director, including a description of the director's views concerning the extent to which the information provided through the Internet site has contributed to increasing the availability of medical malpractice insurance and the effect the Internet site has had on the cost of medical malpractice insurance.

383.225. Each insurer shall file with the director of insurance new manuals of classifications, rules, underwriting rules, rates, rate plans and modifications, policy forms and other forms to which such rates are applied, that reflect the savings, if any, attributable to each provision of this act.

383.230. Insurers writing medical malpractice insurance shall provide insured health care providers with written notice of any increase in renewal premium rates at least ninety days prior to the date of the renewal. At a minimum, the notice shall be sent by first class mail at least ninety days prior to the date of renewal and shall contain the insured's name, the policy number for the coverage being renewed, the total premium amount being charged for the current policy term, and the total premium amount being charged to renew the coverage.”; and

Further amend said bill, Page 9, Section 383.600, Line 52, by inserting immediately after said line the following:

“383.605. 1. Sections 383.605 to 383.655 shall be known as the “Missouri Physicians Mutual Insurance Company Act”.

2. As used in sections 383.605 to 383.655 the following words mean:

- (1) "Administrator", the chief executive officer of the Missouri physicians mutual insurance company;
- (2) "Board", the board of directors of the Missouri physicians mutual insurance company;
- (3) "Company", the Missouri physicians mutual insurance company.

383.610. The "Missouri Physicians Mutual Insurance Company" is created as an independent public corporation for the purpose of insuring Missouri physicians and their employees and their business against liability for professional negligence and other casualty losses. The company shall be organized and operated as a domestic mutual insurance company and it shall not be a state agency. The company shall have the powers granted a general not-for-profit corporation pursuant to section 355.131, RSMo. The company shall be a member of the Missouri property and casualty guaranty association, sections 375.771 to 375.799, RSMo, and as such will be subject to assessments therefrom, and the members of such association shall bear responsibility in the event of the insolvency of the company. The company shall be established pursuant to the provisions of sections 383.605 to 383.655. The company shall use flexibility and experimentation in the development of types of policies and coverages offered to physicians and their employees, subject to the approval of the director of the department of insurance.

383.615. 1. There is hereby created a board of directors for the company. The board shall be appointed by January 1, 2005, and shall consist of nine members appointed or selected as provided in this section. The governor shall appoint the initial nine members of the board with the advice and consent of the senate. Each director shall serve a seven-year term. Terms shall be staggered so that no more than one director's term expires each year on the first day of July. The nine directors initially appointed by the governor shall determine their initial terms by lot. At the expiration of the term of any member of the board, the company's policy holders shall elect a new director in accordance with provisions determined by the board.

2. Any person may be a director who:

- (1) Does not have any interest as a stockholder, employee, attorney, agent, broker, or contractor of an insurance entity who writes medical liability insurance, or whose affiliates write medical liability insurance;
- (2) Is of good moral character and who has never pleaded guilty to, or been found guilty of a felony;
- (3) Is not employed by or affiliated with, the state of Missouri, any hospital, health maintenance organization, or other entity providing any type of insurance in this state.

3. There shall be one member from each congressional district of the state. Further, two members shall be doctors of osteopathic medicine duly licensed to practice in the state of Missouri, three members shall be medical doctors licensed to practice in this state, one member shall be a nurse licensed to practice in this state, one member shall be an attorney licensed to practice by the Missouri supreme court, and one member shall have insurance experience.

4. The board shall annually elect a chairman and any other officers it deems necessary for the performance of its duties. Board committees and subcommittees may also be formed.

5. The company shall pay to the board members their expenses incurred in the business of the company or the board and a stipend in a sum set by the board, but not more than one thousand dollars per meeting or the board or committee or subcommittee thereof attended by the member.

383.620. 1. By January 1, 2005, the board shall hire an administrator who shall serve at the pleasure of the board and the company shall be fully prepared to be in operation by January 1, 2005, and assume its responsibilities by that date. The administrator shall receive compensation as established by the board and must have such qualifications as the board deems necessary. The administrator shall not be a physician.

2. The board is vested with full power, authority, and jurisdiction over the company. The board may perform all acts necessary or convenient in the administration of the company or in connection with the insurance business to be carried on by the company. In this regard, the board is empowered to function in all aspects as a governing body of a private insurance carrier.

383.625. 1. The administrator of the company shall act as the company's chief executive officer. The administrator shall be in charge of the day-to-day operations and management of the company.

2. Before entering the duties of office, the administrator shall give an official bond in an amount and with sureties approved by the board. The premium for the bond shall be paid by the company.

3. The administrator or the administrator's designee shall be the custodian of the moneys of the company and all premiums, deposits, or other moneys paid thereto shall be deposited with a financial institution as designated by the administrator.

4. No board member, officer, or employee of the company is liable in a private capacity for any act performed or obligation entered into when done in good faith, without intent to defraud, and in an official capacity in connection with the administration, management, or conduct of the company or affairs relating to it.

383.630. The board shall have full power and authority to establish rates to be charged by the company for insurance. The board shall contract for the services of or hire an independent actuary, a member in good standing with the American Academy of Actuaries, to develop and recommend actuarially sound rates. Rates shall be set at amounts sufficient, when invested, to carry all claims to maturity, meet the reasonable expenses of conducting the business of the company and maintain a reasonable surplus. The company shall conduct a program that shall be neither more nor less than self-supporting.

383.635. The board shall formulate and adopt an investment policy and supervise the investment activities of the company. The administrator may invest and reinvest the surplus or reserves of the company subject to the limitations imposed on domestic insurance companies by state law. The company may retain an independent investment counsel. The board shall periodically review and appraise the investment strategy being followed and the effectiveness of such services. Any investment counsel retained or hired shall periodically report to the board on investment results and related matters.

383.640. Any insurance producer licensed to sell professional negligence insurance in this state shall be authorized to sell insurance policies for the company in compliance with the bylaws adopted by the company and upon the approval of the board. The board shall establish a schedule of commissions to pay for the services of the producer.

383.645. 1. The administrator shall formulate, implement, and monitor a program to decrease medical negligence by physicians and their staff for all policyholders.

2. The company shall have representatives whose sole purpose is to develop, with policyholders and the professional organizations related to the medical field, education and training seminars and other programs that provide training to physicians and their staffs.

3. The administrator or board may refuse to insure, or may terminate the insurance of any subscriber who refuses to attend such seminars or training or refuses to require their staff to attend such seminars or training as required by the board for its policyholders. The cost of said training seminars or a part thereof may be paid by the company.

383.650. 1. The company shall not receive any state appropriations, directly or indirectly, except as provided in this section.

2. After October 1, 2004, ten million dollars of the moneys received from the master settlement agreement, as defined in section 196.1000, RSMo, shall be used to make loans for start-up funding and initial capitalization of the company. The state legislature shall place such moneys in a special fund under the supervision of the Missouri state treasurer called the "Physicians Mutual Insurance Company Loan Fund" in the appropriations for the appropriate fiscal year. The board of the company shall make application to the treasurer for the loans, stating the amount to be loaned to the company. The loans shall be for a term of ten years and, at the time the application for such loans is approved by the director, shall bear interest at the annual rate based on the rate for linked deposit loans as calculated by the state treasurer pursuant to section 30.758, RSMo.

3. In order to provide funds for the creation, continued development, and operation of the company, the board is authorized to issue revenue bonds from time to time, in a principal amount outstanding not to exceed fifty million dollars at any given time, payable solely from premiums received from insurance policies and other revenues generated by the company.

4. The board may issue bonds to refund other bonds issued pursuant to this section.

5. The bonds shall have a maturity of no more than ten years from the date of issuance. The board shall determine all other terms, covenants, and conditions of the bonds, except that no bonds may be redeemed prior to maturity unless the company has established adequate reserves for the risks it has insured.

6. The bonds shall be executed with the manual or facsimile signature of the administrator or the chairman of the board and attested by another member of the board. The bonds may bear the seal, if any, of the company.

7. The proceeds of the bonds and the earnings of those proceeds shall be used by the board for the development and operation of the Missouri Physicians Mutual Insurance Company, to pay expenses incurred in the preparation, issuance, and sale of the bonds and to pay any obligations relating to the bonds and the proceeds of the bonds under the United States Internal Revenue Code of 1986, as amended.

8. The bonds may be sold at a public sale or a private sale. If the bonds are sold at a public sale, the notice of sale and other procedures for the sale shall be determined by the administrator or the company.

9. This section is full authority for the issuance and sale of the bonds and the bonds shall not be invalid for any irregularity or defect in the proceedings for their issuance and sale and shall be incontestable in the hands of bona fide purchasers or holders of the bonds for value.

10. An amount of money from the sources specified in subsection 3 of this section sufficient to pay the principal of and any interest on the bonds as they become due each year shall be set aside and is hereby pledged for the payment of the principal and interest on the bonds.

11. The bonds shall be legal investment for any person or board charged with the investment of public funds and may be accepted as security for any deposit of public money, and the bonds and interest thereon are exempt from taxation by the state and any political subdivision or agency of the state.

12. The bonds shall be payable by the company, which shall keep a complete record relating to the payment of the bonds.

13. Not more than fifty percent of the bonds sold shall be sold to public entities.

383.655. 1. The board shall cause an annual audit of the books of accounts, funds, and securities of the company to be made by a competent and independent firm of certified public accountants, the cost of the audit to be charged against the company. A copy of the audit report shall be filed with the director of the department of insurance and the administrator. The audit shall be open to the public for inspection.

2. The board shall submit an annual independently audited report in accordance with the procedures governing annual reports adopted by the National Association of Insurance Commissioners by March first of each year and the report shall be delivered to the governor and the general assembly and shall indicate the business done by the company during the previous year and contain a statement of the resources and liabilities of the company.

3. The administrator shall annually submit to the board for its approval an estimated budget of the entire expense of administering the company for the succeeding calendar year having due regard to the business interests and contract obligations of the company.

4. The incurred loss experience and expense of the company shall be ascertained each year to include, but not be limited to, estimates of outstanding liabilities for claims reported to the company but not yet paid and liabilities for claims arising from injuries which have occurred but have not yet been reported to the company. If there is an excess of assets over liabilities, necessary reserves and a reasonable surplus for the catastrophe hazard, then a cash dividend may be declared or a credit allowed to an insured policyholder, who has been insured with the company in accordance with criteria approved by the board, which may account for insured's record and claims history.

5. The department of insurance shall conduct an examination for the company in the manner and under the conditions provided by the statutes of the insurance code for the examination of insurance carriers. The board shall pay the cost of the examination as an expense of the company. The company is subject to all provisions of the statutes which relate to private insurance carriers and to the jurisdiction of the department of insurance in the same manner as private insurance carriers, except as provided by the director.

6. For the purpose of ascertaining such information as the administrator may require in the proper administration of the company, the records of each policyholder and insured of the company shall be always open to inspection by the administrator or the administrator's duly authorized agent or representative.

7. Every person provided insurance coverage by the company, upon complying with the underwriting standards adopted by the company, and upon completing the application form prescribed by the company, shall be furnished with a policy showing the date on which the insurance becomes effective.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HBs 795, 972, 1128 & 1161, as amended, relating to county government, was taken up by Representative Johnson (47).

Representative Johnson (47) moved that the House refuse to adopt **SS SCS HCS HBs 795, 972, 1128 & 1161, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bivins	Carnahan	Dixon	El-Amin
Schoemehl	Thompson			

SCS HCS HB 1305, as amended, relating to medical malpractice, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to adopt **SCS HCS HB 1305, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HCS HBs 1181 & 1719, relating to a Vehicle Emissions Inspection Program, was taken up by Representative Lembke.

On motion of Representative Lembke, **HCS HBs 1181 & 1719** was adopted by the following vote:

AYES: 076

Barnitz	Bean	Black	Bough	Cooper 155
Corcoran	Cunningham 86	Curls	Darrough	Davis 19
Dempsey	Dougherty	Dusenberg	Fares	George
Goodman	Green	Hampton	Harris 110	Haywood
Henke	Holand	Hubbard	Hunter	Icet
Jackson	Kingery	Lembke	LeVota	Liese
Lipke	Lowe	McKenna	Meadows	Moore
Morris	Muckler	Myers	Nieves	Page
Parker	Phillips	Portwood	Pratt	Rector
Reinhart	Roark	Rupp	Schlottach	Schneider
Selby	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Thompson
Threlkeld	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wilson 130
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 069

Baker	Behnen	Bishop	Boykins	Bringer
Brown	Bruns	Burnett	Byrd	Campbell
Cooper 120	Crawford	Crowell	Cunningham 145	Daus
Davis 122	Deeken	Dethrow	Dixon	Donnelly
Emery	Engler	Ervin	Fraser	Graham
Guest	Harris 23	Hilgemann	Hobbs	Hoskins
Jetton	Johnson 47	Jolly	Jones	Kelly 144
Kelly 36	King	Kratky	Kuessner	Lager
Lawson	Luetkemeyer	Marsh	May	Meiners
Miller	Munzlinger	Pearce	Purgason	Quinn
Richard	Ruestman	Salva	Sander	Schaaf
Seigfreid	Self	Shoemaker	Shoemyer	Swinger
Townley	Viebrock	Wasson	Wildberger	Willoughby
Wilson 119	Wilson 25	Witte	Young	

PRESENT: 003

Brooks	Ransdall	Wilson 42
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ABSENT WITH LEAVE: 015

Abel	Angst	Avery	Bearden	Bivins
Bland	Carnahan	El-Amin	Johnson 61	Johnson 90
Mayer	Sager	Schoemehl	Taylor	Wallace

Representative Corcoran requested a verification of the roll call on the motion to adopt **HCS HBs 1181 & 1719**.

On motion of Representative Lembke, **HCS HBs 1181 & 1719** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 39 - Small Business

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 810 - Agriculture

SB 1153 - Conservation and Natural Resources

SCS SB 1196 - Small Business

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Madam Speaker: Your Committee on Children and Families, to which was referred **SCS SB 762**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SCS SB 1269**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SS SCS SBs 1233, 840 & 1043**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 822**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to amateur radio antenna regulations.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 938**, entitled:

An act to repeal section 376.671, RSMo, and to enact in lieu thereof two new sections relating to annuity contracts, with an expiration date and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HBs 1071, 801, 1275 & 989**, entitled:

An act to authorize the governor to convey certain tracts of land, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1136**, entitled:

An act to repeal sections 193.165 and 193.255, RSMo, and to enact in lieu thereof eight new sections relating to miscarriages and stillbirths.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1290**, entitled:

An act to amend chapter 143, RSMo, by adding thereto one new section relating to contributions to certain nonprofit organizations with the cure of a chronic illness as its primary purpose.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1321**, entitled:

An act to repeal sections 67.457 and 67.469, RSMo, and to enact in lieu thereof three new sections relating to neighborhood improvement districts.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1456** and **HB 824**, entitled:

An act to repeal section 94.834, RSMo, and to enact in lieu thereof two new sections relating to transient guest taxes.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 44**.

SENATE CONCURRENT RESOLUTION NO. 44

WHEREAS, health involves all aspects of life, including mind, body, spirit, and environment, and high-quality health care must support care of the whole person; and

WHEREAS, promoting the use of science and appropriate scientific methods to help identify safe and effective complementary and alternative medicine (CAM) services and products and to generate evidence will protect and promote the public health; and

WHEREAS, people have a remarkable capacity for recovery and self-healing, and a major focus of health care is to support and promote this capacity; and

WHEREAS, each person is unique and has the right to health care that is appropriately responsive to him or her, respecting preferences and preserving dignity; and

WHEREAS, each person has the right to choose freely among safe and effective care or approaches, as well as among qualified practitioners who are accountable for their claims and actions and responsive to the person's needs; and

WHEREAS, good health care emphasizes self-care and early intervention for maintaining and promoting health; and

WHEREAS, good health care requires teamwork among patients, health care practitioners (conventional and CAM), and researchers committed to creating optimal healing environments and to respecting the diversity of all health care traditions; and

WHEREAS, education about prevention, healthy lifestyles, and the power of self-healing should be made an integral part of the curricula of all health care professionals and should be made available to the public of all ages; and

WHEREAS, the quality of health care can be enhanced by promoting efforts that thoroughly and thoughtfully examine the evidence on which CAM systems, practices, and products are based and make this evidence widely, rapidly, and easily available; and

WHEREAS, the input of informed consumers and other members of the public must be incorporated in setting priorities for health care and health care research and in reaching policy decisions, including those related to CAM, within the public and private sectors:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Complementary and Alternative Medicine Policy"; and

BE IT FURTHER RESOLVED that the Committee shall be composed of five members of the Senate to be appointed by the President Pro Tem of the Senate, and five members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the members of the Committee shall be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations from the Department of Health and Senior Services and the Division of Professional Registration; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the committee shall provide a report on legislative and administrative recommendations for assuring that public policy maximizes the benefits to Missourians of complementary and alternative medicine. The recommendations shall address the following:

- (1) The education and training of health care practitioners in complementary and alternative medicine;
- (2) The coordinated research to increase knowledge about complementary and alternative medicine practices and products;
- (3) The provision to health care professionals of reliable and useful information about complementary and alternative medicine that can be made readily accessible and understandable to the general public;
- (4) Guidance for appropriate access to and delivery of complementary and alternative medicine; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2005, and the authority of such Committee shall terminate on December 31, 2004; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate and the Speaker of the House of Representatives.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SBs 740, 886 & 1178, as amended**, and has taken up and passed **HCS SS SCS SBs 740, 886 & 1178, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 1160** and has taken up and passed **HS HCS SCS SB 1160**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HBs 795, 972, 1128 & 1161, as amended**, and grants the House a conference thereon.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Hampton is no longer a member of the Joint Committee on Corrections.

Representative Harris (110) has been appointed a member of the Joint Committee on Corrections.

RECESS

On motion of Representative Crowell, the House recessed until the Conference Committee Reports on **SCS HS HCS HB 1004, SCS HS HCS HB 1005, as amended, SCS HS HCS HB 1006, SCS HS HCS HB 1007, as amended, SCS HS HCS HB 1008, SCS HS HCS HB 1009, SCS HS HCS HB 1010, as amended, and SCS HS HCS HB 1012, as amended,** were distributed or until 10:00 p.m.

The hour of recess having expired, the House was called to order by Representative Crowell.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1004

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1004 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1004.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1004.
3. That the attached Conference Committee Substitute for House Bill No. 1004, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Allen Icet
/s/ Rep. Matt Muckler
/s/ Rep. Clint Zweifel

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1005**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1005 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1005.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1005.
3. That the attached Conference Committee Substitute for House Bill No. 1005, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Allen Icet
/s/ Rep. Thomas Villa
/s/ Rep. Albert Liese

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1007**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1007 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1007.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1007.
3. That the attached Conference Committee Substitute for House Bill No. 1007, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Allen Icet
/s/ Rep. Jenée Lowe
/s/ Rep. Amber Boykins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1009**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1009 begs leave to report that we, after free and

fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1009.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1009.
3. That the attached Conference Committee Substitute for House Bill No. 1009, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Bryan Stevenson
/s/ Rep. Dan Ward
/s/ Rep. Tim Meadows

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1010**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1010 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1010.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1010.
3. That the attached Conference Committee Substitute for House Bill No. 1010, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Bryan Stevenson
/s/ Rep. Vicky Riback Wilson
/s/ Rep. Connie Johnson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1012**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1012 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1012.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1012.
3. That the attached Conference Committee Substitute for House Bill No. 1012, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Bryan Stevenson

ADJOURNMENT

On motion of Representative Hanaway, the House adjourned until 10:00 a.m., Tuesday, May 4, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Bob Behnen, District 2, hereby state and affirm that my vote as recorded on Page 1279 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ Bob Behnen
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative John Burnett, District 40, hereby state and affirm that my vote as recorded on Page 1286 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ John Burnett
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative John Burnett, District 40, hereby state and affirm that my vote as recorded on Page 1287 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ John Burnett
State Representative

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State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative John Burnett, District 40, hereby state and affirm that my vote as recorded on Page 1288 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ John Burnett
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Shannon Cooper, District 120, hereby state and affirm that my vote as recorded on Pages 1281 and 1282 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ Shannon Cooper
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my votes as recorded on Pages 1286 and 1287 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ Curt Dougherty
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Gary Dusenberg, District 54, hereby state and affirm that my vote as recorded on Page 1283 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ Gary Dusenberg
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Page 1279 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 1280 of the House Journal for Thursday, April 29, 2004 showing that I voted aye was incorrectly recorded. Pursuant to House Rule

88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

/s/ Rick Johnson
State Representative

/s/ Stephen S. Davis
Chief Clerk

/s/ Vicki Schneider
State Representative

/s/ Stephen S. Davis
Chief Clerk

/s/ Vicki Walker
State Representative

[illegible]

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dan Ward, District 107, hereby state and affirm that my vote as recorded on Page 1287 of the House Journal for Thursday, April 29, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2004.

/s/ Dan Ward
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Tuesday, May 4, 2004, 8:30 a.m. Hearing Room 3.
Fiscal review and possible Executive session.
For fiscal review HB 1099 and SB 1020.
Committee will hear other bills assigned or referred for fiscal review.

BUDGET

Wednesday, May 5, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session. Other bills as assigned or referred for fiscal review.

BUDGET

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session. Other bills as assigned or referred for fiscal review.

COMMUNICATIONS, ENERGY AND TECHNOLOGY

Tuesday, May 4, 2004, Hearing Room 3 upon morning adjournment.
Executive session to be held.

HOMELAND SECURITY AND VETERANS AFFAIRS

Wednesday, May 5, 2004, Hearing Room 5 upon morning adjournment.
Executive session may follow.
Public hearings to be held on: HCR 23, SCS SB 1171

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

TAX POLICY

Tuesday, May 4, 2004, House Chamber side gallery upon morning adjournment.

Executive session may be held on: SCS SB 988, SB 1394

TOURISM AND CULTURAL AFFAIRS

Tuesday, May 4, 2004, Hearing Room 5 upon morning adjournment.

Executive session will follow.

Public hearing to be held on: SS SCS SB 1034

HOUSE CALENDAR

SIXTY-SECOND DAY, TUESDAY, MAY 4, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 1548 - Crawford (117)
- 14 HB 881 - Bruns (113)
- 15 HCS HB 957 - Cunningham (145)
- 16 HCS HB 1702 - Thompson (72)
- 17 HCS HB 1480 - Rupp (13)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1099, (Budget 4-21-04) - Reinhart (34)
- 2 HCS HB 1181 & 1719 - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTION

SCR 37, (4-29-04, pages 1289 - 1290) - Engler (106)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)
- 3 HCS SS SB 732 - Johnson (47)
- 4 HCS SB 884 - Lager (4)
- 5 SCS SB 921, E.C. - Byrd (94)
- 6 SCS SB 1006 - Page (82)
- 7 SB 1111 - Lager (4)
- 8 SB 1107 - Schaaf (28)
- 9 HCS SCS SB 1106, E.C. - Schaaf (28)
- 10 HCS SCS SB 1093 - Hanaway (87)
- 11 HCS SCS SB 1091 - Parker (12)
- 12 SB 1055 - Johnson (47)
- 13 HCS SB 1012, E.C. - Baker (123)
- 14 SCS SB 992 - Mayer (159)
- 15 SCS SB 956 - Wilson (119)
- 16 SB 951 - Threlkeld (109)
- 17 HCS SCS SBs 942, 850 & 841, E.C. - Goodman (132)
- 18 HCS SCS SB 945 and SB 803 and SB 1257, E.C. - Moore (20)
- 19 SCS SB 901, HCA 1 - Townley (112)
- 20 SB 899 - Dusenbergs (54)
- 21 HCS SB 824 - Schlottach (111)
- 22 HCS SCS SB 782 - Johnson (47)
- 23 HCS SB 769, E.C. - Emery (126)
- 24 SCS SB 767 - Cunningham (145)
- 25 SCS SB 757, HCA 1 - Cooper (120)
- 26 SB 1130 - Deeken (114)
- 27 SCS SB 1172 - Fares (91)

(4/28/04)

- 1 SCS SB 788, E.C. - Goodman (132)
- 2 SB 842, E.C. - Wood (62)
- 3 SCS SB 859 - Stefanick (93)
- 4 SCS SB 952 - Johnson (47)

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- 5 SCS SB 1078 - Richard (129)
- 6 SB 1083 - Schaaf (28)
- 7 SB 1086 - Pearce (121)
- 8 SCS SB 1195 - Lager (4)
- 9 SCS SB 1235 - Luetkemeyer (115)
- 10 HCS SB 1242 - Wilson (42)
- 11 SB 1243 - Byrd (94)
- 12 SB 1249 - Dempsey (18)
- 13 SCS SB 1250 - Rector (124)
- 14 SCS SB 1253 - Dempsey (18)
- 15 HCS SB 1259 - Taylor (68)
- 16 SB 1285 - Cooper (120)
- 17 HCS SB 1299 - Luetkemeyer (115)
- 18 SB 1302, E.C. - Morris (138)
- 19 SCS SB 1304 - Lembke (85)
- 20 SB 1320 - Luetkemeyer (115)

(4/29/04)

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberger (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)
- 13 HCS SB 1391 - Black (161)

(5/03/04)

- 1 SB 781 - Byrd (94)
- 2 HCS SCS SB 799 - Rupp (13)
- 3 SB 883 - Lager (4)
- 4 SCS SB 1044 - Pearce (121)
- 5 HCS SCS SB 1247 - Byrd (94)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SB 932, HA 3 and HS, as amended, pending - Wilson (130)

- 3 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 4 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 5 HCS SCS SBs 1144, 919 & 874, E.C. - Schlottach (111)
- 6 SS SS SCS SB 715 - Johnson (47)
- 7 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 8 HCS SCS SB 1038, (Budget 4-26-04) - Luetkemeyer (115)
- 9 HCS SCS SB 1365 - Jackson (89)
- 10 HCS SB 870 - Pearce (121)
- 11 SB 966 - Mayer (159)
- 12 HCS SS SB 1000 - Mayer (159)
- 13 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 14 SB 920 - Cooper (155)
- 15 HCS SS SCS SB 960 - Cooper (120)
- 16 SCS SB 1062 - Johnson (47)
- 17 SCS SB 1155 - Dempsey (18)
- 18 HCS SS SCS SB 1279, (Budget 4-29-04) - Schaaf (28)
- 19 SCS SB 1045 - Haywood (71)
- 20 HCS SCS#2 SB 762, E.C. - Hanaway (87)
- 21 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 22 HCS SCS SB 1269 - Dempsey (18)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1071, 801, 1275 & 989, E.C. - Goodman (132)
- 2 SCS HB 938, E.C. - Luetkemeyer (115)
- 3 SCS HS HCS HB 1290 - Portwood (92)
- 4 SCS HB 822 - Luetkemeyer (115)
- 5 SCS HCS HB 1321 - Schaaf (28)
- 6 SCS HCS HB 1456 and HB 824 - Black (161)
- 7 SCS HCS HB 1136 - Rupp (13)

BILL CARRYING REQUEST MESSAGE

SCS HCS HB 1305, as amended (request Senate recede/grant conference) - Byrd (94)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 CCR SCS HS HCS HB 1002, as amended - Bearden (16)
- 3 CCR SCS HS HCS HB 1003 - Bearden (16)
- 4 CCR SCS HS HCS HB 1004 - Bearden (16)
- 5 CCR SCS HS HCS HB 1005, as amended - Bearden (16)
- 6 SCS HS HCS HB 1006 - Bearden (16)
- 7 CCR SCS HS HCS HB 1007, as amended - Bearden (16)
- 8 SCS HS HCS HB 1008 - Bearden (16)

- 9 CCR SCS HS HCS HB 1009 - Bearden (16)
- 10 CCR SCS HS HCS HB 1010, as amended - Bearden (16)
- 11 SCS HS HCS HB 1011, as amended - Bearden (16)
- 12 CCR SCS HS HCS HB 1012, as amended - Bearden (16)
- 13 SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-SECOND DAY, TUESDAY, MAY 4, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

O God, You are the Father of all who are willing to be Your sons and daughters. Thank You for inviting and calling us to live in family relationship with You.

We, one and all, thank You for our family at home. Our family is our most precious asset; You have willed it so. You have established the family as the basic cell of human society. Give us Your understanding of healthy family life. Give us Your understanding of marriage; You have made it the foundation for family life.

Help us to do our part in developing policies and laws that help families to stay together and that reward responsibility and sacrifice for children.

We pray for those who have traveled away from their families in the service of our country. Keep them safe and bring them home soon to their loved ones.

We pray to You who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Patrick Whalen, Brent Stump, Miranda Waddell, Allison Ericson, Megan Ohroeke, Weston Wood, Glenn Petty, Taylor Huhmann, Eddie Humphries, Tanner Hansuld, Hannah Steele, Marcus Taylor, Stephanie Whelan, Brody Zink and Nicholas Argint.

The Journal of the sixty-first day was approved as corrected.

SPECIAL RECOGNITION

Members of the Liberty United Methodist Church, the Saint Mary's Catholic Church and the Elm Branch Christian Church were introduced by Representative Goodman and recognized as Outstanding Missourians.

Kayron Parrish was introduced by Representative Burnett and recognized as an Outstanding Missouri Student.

Speaker Pro Tem Jetton assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2512	
through	
House Resolution No. 2525	- Representative Yaeger
House Resolution No. 2526	
through	
House Resolution No. 2533	- Representative Whorton
House Resolution No. 2534	- Representative Curls
House Resolution No. 2535	- Representative Crowell
House Resolution No. 2536	- Representative Wildberger
House Resolution No. 2537	- Representative Munzlinger
House Resolution No. 2538	- Representative Pearce
House Resolution No. 2539	- Representative Pratt
House Resolution No. 2540	- Representative Cooper (120)
House Resolution No. 2541	- Representatives Lowe and Black
House Resolution No. 2542	- Representative Zweifel
House Resolution No. 2543	- Representative Skaggs
House Resolution No. 2544	- Representative Luetkemeyer
House Resolution No. 2545	- Representative Townley
House Resolution No. 2546	- Representative Cooper (155)
House Resolution No. 2547	- Representative Cooper (120)
House Resolution No. 2548	- Representative Hampton
House Resolution No. 2549	- Representative Cooper (155)
House Resolution No. 2550	- Representative Ruestman
House Resolution No. 2551	- Representative Sanders Brooks
House Resolution No. 2552	- Representative Schlottach
House Resolution No. 2553	- Representative Seigfreid
House Resolution No. 2554	- Representative Ransdall
House Resolution No. 2555	- Representative Davis (19)
House Resolution No. 2556	- Representatives Lowe and Black
House Resolution No. 2557	- Representative Bringer
House Resolution No. 2558	- Representative Walton
House Resolution No. 2559	- Representative Emery
House Resolution No. 2560	- Representative Hunter
House Resolution No. 2561	- Representative Byrd
House Resolution No. 2562	- Representative Fraser
House Resolution No. 2563	- Representative Harris (23)
House Resolution No. 2564	- Representative Witte
House Resolution No. 2565	- Representative Boykins
House Resolution No. 2566	- Representative Yates
House Resolution No. 2567	- Representative Walker
House Resolution No. 2568	- Representative Kuessner

House Resolution No. 2569
and
House Resolution No. 2570 - Representative Deeken
House Resolution No. 2571 - Representative Mayer
House Resolution No. 2572 - Representative Bough
House Resolution No. 2573 - Representative Dixon
House Resolution No. 2574 - Representative Portwood
House Resolution No. 2575 - Representative Lipke
House Resolution No. 2576
through
House Resolution No. 2579 - Representative Cunningham (145)
House Resolution No. 2580
through
House Resolution No. 2595 - Representative Jetton

MOTION

Representative Crowell moved that Rule 23 be suspended to allow the members of the House Conference Committees on **SCS HS HCS HB 1006, SCS HS HCS HB 1008** and **SCS HS HCS HB 1011, as amended**, to meet May 4, 2004, while the House is in session.

Which motion was adopted by the following vote:

AYES: 132

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Engler	Ervin	Fares	Fraser	Goodman
Guest	Hampton	Haywood	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Viebrock
Villa	Wagner	Wallace	Ward	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25

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Wilson 42
Zweifel

Wood
Madam Speaker

Wright

Yates

Young

NOES: 022

Burnett
George
Johnson 90
Swinger
Witte

Carnahan
Harris 110
LeVota
Vogt
Yaeger

Corcoran
Harris 23
Muckler
Walker

Daus
Henke
Sager
Walsh

Donnelly
Johnson 61
Selby
Walton

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 008

Avery
Meiners

Baker
Reinhart

Emery
Townley

Graham

Green

Speaker Hanaway resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HCS HBs 795, 972, 1128 & 1161: Representatives Johnson (47), Angst, Brown, Whorton and Bringer

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HCS HBs 795, 972, 1128 & 1161, as amended:** Senators Childers, Griesheimer, Bartle, Mathewson and Caskey.

Representative Sutherland assumed the Chair.

Speaker Pro Tem Jetton resumed the Chair.

BILL IN CONFERENCE

CCR SCS HS HCS HB 1002, as amended, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1002, as amended,** was adopted by the following vote:

AYES: 110

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Graham	Guest	Hampton
Harris 110	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Viebrock	Villa	Wagner	Walker
Wallace	Wasson	Wildberger	Wilson 119	Wilson 130
Wood	Wright	Yates	Young	Madam Speaker

NOES: 045

Bishop	Bland	Bringer	Burnett	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 90
Jolly	Jones	LeVota	Liese	McKenna
Meadows	Muckler	Ransdall	Roark	Sager
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Vogt	Walsh	Walton	Ward	Whorton
Willoughby	Wilson 25	Witte	Yaeger	Zweifel

PRESENT: 002

Brooks	Wilson 42
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ABSENT WITH LEAVE: 006

Abel	Avery	Boykins	Green	Johnson 61
Townley				

On motion of Representative Bearden, **CCS SCS HS HCS HB 1002** was read the third time and passed by the following vote:

AYES: 108

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Boykins	Brown	Bruns	Byrd	Campbell
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler

Ervin	Fares	Goodman	Graham	Guest
Hampton	Harris 110	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Villa	Wagner	Walker	Wallace	Wasson
Wildberger	Wilson 119	Wilson 130	Wood	Wright
Yates	Young	Madam Speaker		

NOES: 047

Bishop	Bland	Bringer	Brooks	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 90	Jolly	Jones	LeVota	Liese
McKenna	Meadows	Muckler	Ransdall	Roark
Sager	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Vogt	Walsh	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Dougherty	Green	Johnson 61	Parker
Schaaf	Sutherland	Townley		

Speaker Pro Tem Jetton declared the bill passed.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2596 - Representative Phillips
 House Resolution No. 2597
 and
 House Resolution No. 2598 - Representative Carnahan
 House Resolution No. 2599
 and
 House Resolution No. 2600 - Representative Bruns

House Resolution No. 2601 - Representative Dusenberg
House Resolution No. 2602 - Representative Fares
House Resolution No. 2603 - Representative Harris (23), et al
House Resolution No. 2604
through
House Resolution No. 2608 - Representative Whorton
House Resolution No. 2609
and
House Resolution No. 2610 - Representative Fraser
House Resolution No. 2611 - Representative Cooper (120)
House Resolution No. 2612 - Representative Munzlinger
House Resolution No. 2613 - Representative Shoemaker
House Resolution No. 2614 - Representative Willoughby, et al
House Resolution No. 2615 - Representative Ward
House Resolution No. 2616
and
House Resolution No. 2617 - Representative Moore
House Resolution No. 2618 - Representative Pratt
House Resolution No. 2619
through
House Resolution No. 2621 - Representative Davis (19)
House Resolution No. 2622 - Representative Moore
House Resolution No. 2623 - Representative Baker
House Resolution No. 2624
and
House Resolution No. 2625 - Representative Schoemehl
House Resolution No. 2626 - Representative Sutherland
House Resolution No. 2627 - Representative Harris (23)
House Resolution No. 2628 - Representative Lipke
House Resolution No. 2629
and
House Resolution No. 2630 - Representative Ervin
House Resolution No. 2631 - Representative Riback Wilson (25), et al

HOUSE CONCURRENT RESOLUTION

Representatives Phillips, Burnett, Jetton and Bringer offered House Concurrent Resolution No. 41.

BILLS IN CONFERENCE

CCR SCS HS HCS HB 1003, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1003** was adopted by the following vote:

AYES: 115

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	Goodman	Graham
Guest	Hampton	Harris 110	Haywood	Hobbs
Holand	Hoskins	Hunter	Icet	Jackson
Jetton	Johnson 47	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Townley
Viebrock	Villa	Wagner	Wallace	Ward
Wasson	Whorton	Wilson 119	Wilson 130	Wilson 42
Wood	Wright	Yates	Young	Madam Speaker

NOES: 045

Bishop	Bland	Bringer	Burnett	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	George	Green	Harris 23	Henke
Hilgemann	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Lawson	LeVota	Meadows	Muckler
Page	Ransdall	Roark	Sager	Schoemehl
Selby	Shoemyer	Skaggs	Swinger	Threlkeld
Vogt	Walker	Walsh	Walton	Wildberger
Willoughby	Wilson 25	Witte	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Boykins	Brooks
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On motion of Representative Bearden, **CCS SCS HS HCS HB 1003** was read the third time and passed by the following vote:

AYES: 114

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86

Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	Goodman	Graham
Guest	Hampton	Harris 110	Haywood	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Townley	Viebrock
Villa	Wagner	Wallace	Ward	Wasson
Whorton	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Young	Madam Speaker	

NOES: 046

Bishop	Bland	Bringer	Burnett	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	George	Green	Harris 23	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Lawson	LeVota	Meadows
Muckler	Page	Ransdall	Roark	Sager
Schoemehl	Selby	Shoemyer	Skaggs	Swinger
Threlkeld	Vogt	Walker	Walsh	Walton
Wildberger	Willoughby	Wilson 25	Witte	Yaeger
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Boykins	Brooks
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Speaker Hanaway declared the bill passed.

CCR SCS HS HCS HB 1004, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1004** was adopted by the following vote:

AYES: 130

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares

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Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Haywood	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Purgason	Quinn	Rector
Reinhart	Richard	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Wright	Young	Zweifel	Madam Speaker

NOES: 030

Bishop	Bland	Bringer	Burnett	Carnahan
Corcoran	Darrough	Daus	Green	Harris 23
Henke	Hubbard	Johnson 90	Jolly	Kuessner
LeVota	Meadows	Muckler	Pratt	Ransdall
Roark	Sager	Schoemehl	Selby	Vogt
Ward	Willoughby	Witte	Yaeger	Yates

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Boykins	Brooks
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On motion of Representative Bearden, **CCS SCS HS HCS HB 1004** was read the third time and passed by the following vote:

AYES: 131

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Brown	Bruns	Byrd	Campbell
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Guest	Hampton	Harris 110	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jones	Kelly 36	King	Kingery
Kratky	Lager	Lawson	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Purgason

Quinn	Rector	Reinhart	Richard	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Viebrock	Villa	Wagner	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Wood	Wright	Young	Zweifel
Madam Speaker				

NOES: 026

Bishop	Bringer	Burnett	Carnahan	Corcoran
Daus	Green	Harris 23	Henke	Johnson 90
Jolly	Kuessner	LeVota	Meadows	Muckler
Pratt	Ransdall	Roark	Sager	Schoemehl
Selby	Vogt	Ward	Witte	Yaeger
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Boykins	Brooks	Kelly 144	Smith 118
Townley				

Speaker Hanaway declared the bill passed.

CCR SCS HS HCS HB 1005, as amended, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1005, as amended**, was adopted by the following vote:

AYES: 098

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Davis 19	Deeken	Dempsey	Dethrow	Dougherty
Emery	Engler	Ervin	Fares	Fraser
George	Graham	Guest	Harris 23	Haywood
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kingery	Kratky	Lager
Lembke	Liese	Lowe	Luetkemeyer	Marsh
May	McKenna	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Quinn
Rector	Reinhart	Richard	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Threlkeld	Viebrock

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Villa	Walker	Wallace	Walsh	Wasson
Wildberger	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Zweifel	Madam Speaker		

NOES: 062

Barnitz	Bishop	Bringer	Brown	Burnett
Carnahan	Corcoran	Darrough	Daus	Davis 122
Dixon	Donnelly	Dusenberg	El-Amin	Goodman
Green	Hampton	Harris 110	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kuessner
Lawson	LeVota	Lipke	Mayer	Meadows
Muckler	Pratt	Purgason	Ransdall	Roark
Sager	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Sutherland	Swinger	Taylor	Thompson
Townley	Vogt	Wagner	Walton	Ward
Whorton	Willoughby	Wilson 25	Witte	Yaeger
Yates	Young			

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Boykins	Brooks
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On motion of Representative Bearden, **CCS SCS HS HCS HB 1005** was read the third time and passed by the following vote:

AYES: 099

Abel	Angst	Baker	Bearden	Behnen
Bivins	Black	Bland	Bough	Bruns
Byrd	Campbell	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Davis 19
Deeken	Dempsey	Dethrow	Dougherty	Emery
Engler	Ervin	Fares	Fraser	George
Graham	Guest	Harris 23	Haywood	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kingery	Kratky	Lager	Lembke
Liese	Lowe	Luetkemeyer	Marsh	May
McKenna	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Quinn	Rector
Reinhart	Richard	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Thompson	Threlkeld	Viebrock
Villa	Walker	Wallace	Walsh	Wasson
Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Wright	Zweifel	Madam Speaker	

NOES: 061

Barnitz	Bean	Bishop	Bringer	Brown
Burnett	Carnahan	Corcoran	Darrough	Daus
Davis 122	Dixon	Donnelly	Dusenberg	El-Amin

Goodman	Green	Hampton	Harris 110	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kuessner	Lawson	LeVota	Lipke	Mayer
Meadows	Muckler	Pratt	Purgason	Ransdall
Roark	Sager	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Sutherland	Swinger	Taylor
Townley	Vogt	Wagner	Walton	Ward
Whorton	Willoughby	Witte	Yaeger	Yates
Young				

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Boykins	Brooks
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Speaker Hanaway declared the bill passed.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1305, as amended**, and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1305: Representatives Byrd, Jetton, Crowell, Johnson (90) and Harris (23)

BILLS IN CONFERENCE

CCR SCS HS HCS HB 1007, as amended, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1007, as amended**, was adopted by the following vote:

AYES: 135

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Byrd	Campbell	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Guest	Hampton	Harris 110

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Haywood	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 027

Bishop	Bringer	Burnett	Carnahan	Corcoran
Daus	El-Amin	Green	Harris 23	Henke
Hilgemann	Hoskins	Hubbard	Johnson 90	Lawson
LeVota	Meadows	Muckler	Ransdall	Roark
Sager	Schoemehl	Selby	Spreng	Vogt
Witte	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Bearden, **CCS SCS HS HCS HB 1007** was read the third time and passed by the following vote:

AYES: 131

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Brown	Bruns	Byrd
Campbell	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Guest	Hampton	Harris 110	Haywood
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart

Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Skaggs	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Wood	Wright	Yates	Young
Madam Speaker				

NOES: 030

Bishop	Bringer	Burnett	Carnahan	Corcoran
Daus	Davis 122	Green	Harris 23	Henke
Hoskins	Johnson 90	Lawson	LeVota	Meadows
Muckler	Ransdall	Roark	Sager	Schoemehl
Selby	Shoemyer	Spreng	Swinger	Vogt
Whorton	Wilson 25	Witte	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Brooks

Speaker Hanaway declared the bill passed.

CCR SCS HS HCS HB 1009, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1009** was adopted by the following vote:

AYES: 126

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Graham	Guest	Hampton
Harris 110	Haywood	Hobbs	Holand	Hunter
Icet	Jackson	Jetton	Johnson 47	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor

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Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Wilson 119	Wilson 130
Wood	Wright	Yates	Young	Zweifel
Madam Speaker				

NOES: 034

Bishop	Bland	Bringer	Brooks	Burnett
Carnahan	Curls	Daus	El-Amin	Green
Harris 23	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Lawson	LeVota
Muckler	Ransdall	Roark	Sager	Schoemehl
Selby	Shoemyer	Vogt	Whorton	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Boykins	Goodman
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On motion of Representative Bearden, **CCS SCS HS HCS HB 1009** was read the third time and passed by the following vote:

AYES: 127

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Haywood	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Wildberger	Wilson 119
Wilson 130	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 033

Bishop	Bland	Bringer	Brooks	Burnett
Carnahan	Curls	Daus	El-Amin	Green
Harris 23	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	LeVota	Muckler
Ransdall	Roark	Sager	Schoemehl	Selby
Shoemyer	Vogt	Whorton	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Boykins	Purgason
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Speaker Hanaway declared the bill passed.

CCR SCS HS HCS HB 1010, as amended, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1010, as amended**, was adopted by the following vote:

AYES: 103

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Campbell	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 61	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Lager
Lembke	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walton	Wasson
Wilson 119	Wilson 130	Wilson 25	Wood	Wright
Yates	Zweifel	Madam Speaker		

NOES: 057

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	El-Amin
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 47	Johnson 90	Kuessner

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Lawson	LeVota	Liese	Meadows	Meiners
Muckler	Ransdall	Roark	Sager	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Vogt	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 42	Witte
Yaeger	Young			

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 002

Avery Boykins

On motion of Representative Bearden, **CCS SCS HS HCS HB 1010** was read the third time and passed by the following vote:

AYES: 102

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Boykins	Brown
Bruns	Byrd	Campbell	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hampton	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 61	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lembke	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Quinn	Rector
Reinhart	Richard	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Villa	Wagner	Wallace	Walton
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 058

Abel	Barnitz	Bishop	Bland	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Graham	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 47	Johnson 90	Kuessner	Lawson	LeVota
Liese	Meadows	Meiners	Muckler	Ransdall
Roark	Sager	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Vogt	Walker	Walsh	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 001

Jolly

ABSENT WITH LEAVE: 002

Avery

Purgason

Speaker Hanaway declared the bill passed.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HB 978**, entitled:

An act to repeal section 536.010, RSMo, and to enact in lieu thereof six new sections relating to small businesses.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, Page 10, Section 536.325, Line 8 of said page, by inserting after all of said line the following:

“Section 1. 1. Effective one hundred eighty days from the effective date of this act, every liquefied petroleum gas supplier registered to do business in Missouri in accordance with section 323.060, RSMo, and every broker or wholesale supplier of propane to a residential, commercial, or agricultural end-user shall demonstrate the ability to respond in damages for personal injury or property damages. The minimum amount of financial responsibility shall be in the amount of one million dollars per occurrence with an annual aggregate of one million dollars.

2. A liquefied petroleum gas supplier may use either of the following mechanisms to demonstrate financial responsibility required in subsection 1 of this section:

(1) A liquefied petroleum gas supplier may elect to provide a signed affidavit in accordance with regulations promulgated by the department of agriculture certifying that such company has and will maintain financial responsibility during the period of registration. The affidavit shall state clearly: “Any false affidavit is a crime under section 575.050 of Missouri law.”;

(2) A liquefied petroleum gas supplier may obtain liability insurance as an endorsement to an existing policy or as a separate policy from a qualified insurer or risk retention group. Each insurance policy shall be issued by an insurer or risk retention group that is licensed to transact the business of insurance or eligible to provide insurance as an excess or surplus lines insurer in one or more states. The supplier's certificate of insurance must be made available upon request by the department.

3. A liquefied petroleum gas supplier who is unable to demonstrate the level of financial responsibility required in subsections 1 or 2 of this section upon request of the department shall be prohibited from filling containers until such proof is provided and is acceptable to the department, except as hereby provided.

4. In the event a registered propane supplier is non-renewed by its insurance carrier, the supplier shall have a maximum of one hundred twenty days to secure suitable coverage in order to qualify to fill containers.

5. Propane suppliers registered in accordance with section 323.060, RSMo, and in compliance with the provisions of subsection 1 of this section shall not be held liable for damages in excess of the limits of this provision by any court action or jury decision rendered as long as this provision remains in effect.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, Page 1, Section A, Line 4, by inserting after all of said line the following:

“324.010. All governmental entities issuing professional licenses, certificates, registrations, or permits pursuant to sections 209.319 to 209.339, RSMo, sections 214.270 to 214.516, RSMo, sections 256.010 to 256.453, RSMo, section 375.014, RSMo, sections 436.005 to 436.071, RSMo, and chapter 317, RSMo, and chapters 324 to 346, RSMo, shall provide the director of revenue with the name and Social Security number of each applicant for licensure with or licensee of such entities within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any state taxes or has failed to file state income tax returns in the last three years, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be [revoked] **suspended** within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. **The director of revenue shall, within ten business days of notification to the governmental entity issuing the professional license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied.** Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

SS HS HCS HB 978, as amended, relating to the Small Business Regulatory Fairness Board, was taken up by Representative Baker.

Representative Baker moved that the House refuse to adopt **SS HS HCS HB 978, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HB 1548, relating to state employee pay, was taken up by Representative Deeken.

Representative Sutherland resumed the Chair.

On motion of Representative Deeken, **HB 1548** was ordered perfected and printed.

THIRD READING OF SENATE BILLS - CONSENT

HCS SS SB 732, relating to recreation and entertainment districts, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HCS SS SB 732** was adopted.

On motion of Representative Johnson (47), **HCS SS SB 732** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yates	Young	Zweifel	Madam Speaker	

NOES: 004

Harris 23	Johnson 90	LeVota	Yaeger
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Brooks	McKenna	Schoemehl
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Representative Sutherland declared the bill passed.

HCS SB 884, relating to republication of statutes, was taken up by Representative Lager.

On motion of Representative Lager, **HCS SB 884** was adopted.

On motion of Representative Lager, **HCS SB 884** was read the third time and passed by the following vote:

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AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 001

Curls

ABSENT WITH LEAVE: 007

Avery	Boykins	Brooks	Cooper 120	Hubbard
Jetton	Wright			

Representative Sutherland declared the bill passed.

HCS SCS SB 1106, relating to conveyances in Buchanan County, was taken up by Representative Schaaf.

Representative Schaaf offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1106, Page 2, Section 2, Line 26, by inserting after the words “**Route H;**” the following:

“thence North 89° 37' West along said right-of-way line 60.37 feet;” and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Schaaf, **HCS SCS SB 1106, as amended**, was adopted.

On motion of Representative Schaaf, **HCS SCS SB 1106, as amended**, was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crowell	Cunningham 145
Cunningham 86	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	Crawford	Curls	Jetton
Ward	Wright			

Representative Sutherland declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 002

Brown	Walker
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PRESENT: 001

Harris 23

ABSENT WITH LEAVE: 005

Avery	Boykins	Jetton	Ward	Wright
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HCS SCS SB 1093, relating to investment of public funds, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HCS SCS SB 1093** was adopted.

On motion of Representative Hanaway, **HCS SCS SB 1093** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Boykins	Cunningham 86	Donnelly	Ward
Wright				

Representative Sutherland declared the bill passed.

Speaker Hanaway resumed the Chair.

HCS SCS SB 1091, relating to community college facilities maintenance, was taken up by Representative Parker.

On motion of Representative Parker, **HCS SCS SB 1091** was adopted.

On motion of Representative Parker, **HCS SCS SB 1091** was read the third time and passed by the following vote:

AYES: 157

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel	Avery	Boykins	Brooks	Donnelly
Ward				

Speaker Hanaway declared the bill passed.

HCS SB 1012, relating to the collection of property taxes, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HCS SB 1012** was adopted by the following vote:

AYES: 089

Baker	Bearden	Behnen	Bishop	Black
Bringer	Bruns	Byrd	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Fares	George	Graham	Guest
Hilgemann	Hobbs	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Kelly 144
Kelly 36	King	Kingery	Kratky	Lager
Liese	Lowe	Luetkemeyer	May	Mayer
McKenna	Meiners	Miller	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Rector	Reinhart
Rupp	SchAAF	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Threlkeld	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Yates	Young	Zweifel	Madam Speaker	

NOES: 067

Angst	Barnitz	Bean	Bivins	Bland
Bough	Boykins	Brooks	Brown	Burnett
Campbell	Curls	Daus	Dethrow	El-Amin
Engler	Fraser	Goodman	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hoskins
Johnson 61	Johnson 90	Jones	Kuessner	Lawson
Lembke	LeVota	Lipke	Meadows	Moore
Muckler	Page	Purgason	Ransdall	Richard
Roark	Ruestman	Sager	Salva	Sander
Schlottach	Schneider	Schoemehl	Selby	Shoemaker
Taylor	Thompson	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Wilson 42	Wood
Wright	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Avery	Carnahan	Holand	Marsh
Seigfreid	Wagner			

On motion of Representative Cooper (120), **HCS SB 1012** was read the third time and passed by the following vote:

AYES: 091

Baker	Bean	Bearden	Behnen	Bishop
Black	Bough	Bringer	Bruns	Byrd
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Davis 122	Davis 19
Deeken	Dempsey	Donnelly	Dougherty	Dusenberg
George	Graham	Guest	Hilgemann	Hobbs
Hubbard	Hunter	Ice	Jackson	Jetton

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Johnson 47	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Liese	Lowe
Luetkemeyer	May	Mayer	McKenna	Meiners
Miller	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Quinn	Rector	Reinhart	Richard	Ruestman
Rupp	Schaaf	Seigfreid	Selby	Self
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Witte	Yates	Young	Zweifel
Madam Speaker				

NOES: 066

Angst	Barnitz	Bivins	Bland	Brooks
Brown	Burnett	Campbell	Carnahan	Curls
Daus	Dethrow	Dixon	El-Amin	Emery
Engler	Ervin	Fares	Fraser	Goodman
Green	Hampton	Harris 110	Haywood	Henke
Holand	Hoskins	Johnson 90	Jones	Kuessner
Lawson	Lembke	LeVota	Lipke	Meadows
Moore	Muckler	Page	Purgason	Ransdall
Roark	Sager	Salva	Sander	Schlottach
Schneider	Schoemehl	Shoemaker	Shoemyer	Thompson
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Wilson 42	Wood	Wright
Yaeger				

PRESENT: 003

Boykins	Harris 23	Johnson 61
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ABSENT WITH LEAVE: 003

Abel	Avery	Marsh
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Speaker Hanaway declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 062

Angst	Baker	Bearden	Behnen	Bishop
Bringer	Byrd	Cooper 120	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Donnelly	Dougherty
Emery	Hobbs	Hubbard	Ice	Jetton
Johnson 47	Kelly 36	King	Kingery	Lager
Luetkemeyer	May	Mayer	McKenna	Miller
Munzlinger	Myers	Nieves	Pearce	Phillips
Pratt	Rector	Rupp	Sager	Schaaf
Seigfreid	Self	Smith 118	Smith 14	St. Onge
Stevenson	Thompson	Threlkeld	Wallace	Whorton

Willoughby	Wilson 119	Wilson 130	Yates	Young
Zweifel	Madam Speaker			

NOES: 091

Barnitz	Bean	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Burnett	Campbell	Carnahan	Cooper 155	Curls
Daus	Dethrow	Dixon	Dusenberg	El-Amin
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Holand
Hoskins	Jackson	Johnson 90	Jolly	Jones
Kelly 144	Kratky	Kuessner	Lawson	Lembke
LeVota	Liese	Lipke	Meadows	Moore
Morris	Muckler	Page	Parker	Portwood
Quinn	Ransdall	Reinhart	Richard	Roark
Ruestman	Salva	Sander	Schlottach	Schneider
Schoemehl	Selby	Shoemaker	Shoemyer	Spreng
Stefanick	Sutherland	Swinger	Taylor	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Wasson	Wildberger
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger				

PRESENT: 004

Harris 23	Johnson 61	Lowe	Meiners
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ABSENT WITH LEAVE: 006

Abel	Avery	Hunter	Marsh	Purgason
Skaggs				

HCS SCS SBs 942, 850 & 841, relating to conveyances, was taken up by Representative Goodman.

On motion of Representative Goodman, **HCS SCS SBs 942, 850 & 841** was adopted.

On motion of Representative Goodman, **HCS SCS SBs 942, 850 & 841** was read the third time and passed by the following vote:

AYES: 156

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Icet	Jackson

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Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Haywood

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel	Avery	Boykins	Hunter	Lowe
Marsh				

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Green	Guest	Hampton	Harris 110	Harris 23
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt

Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 006

Brooks	Graham	Haywood	Sager	Walker
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel	Avery	Boykins	Hunter	Lowe
Marsh				

Representative Campbell assumed the Chair.

HCS SCS SB 945 and SB 803 and SB 1257, relating to school age children, was taken up by Representative Moore.

On motion of Representative Moore, **HCS SCS SB 945 and SB 803 and SB 1257** was adopted.

On motion of Representative Moore, **HCS SCS SB 945 and SB 803 and SB 1257** was read the third time and passed by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May

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Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

El-Amin Hoskins

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Avery	Boykins	Hunter	Marsh
McKenna	Wright			

Representative Campbell declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Decken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hubbard	Icet
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland

Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

El-Amin	Graham	Hoskins	Walker
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 010

Abel	Avery	Boykins	Goodman	Hunter
Johnson 61	Marsh	Salva	Smith 118	Wright

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HS HCS HB 978, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Yeckel, Nodler, Scott, Coleman and Caskey.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS HS HCS HB 978: Representatives St. Onge, Baker, Byrd, Seigfreid and Skaggs

LETTER OF OBJECTION

May 3, 2004

Mr. Stephen S. Davis
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

We, the undersigned members of the Missouri House of Representatives, hereby object to the placement of **HCS SB 1391** on the Senate Bills for Third Reading - Consent Calendar. We believe this bill has a negative fiscal impact on the state.

Sincerely,

/s/ Ed Emery

/s/ Thomas A. Villa

/s/ Robert Thane Johnson

/s/ Thomas E. George

/s/ Mike Dethrow

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 41 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 1181 & 1719 - Budget (Fiscal Note)

HB 1548 - Budget (Fiscal Note)

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 44 - Special Committee on General Laws

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS#2 SB 762 - Budget (Fiscal Note)

HCS SB 1391 - Budget (Fiscal Note)

SB 717 - Rules

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS HB 1099** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 1265**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1626**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Ethics, Chairman Crowell reporting:

Madam Speaker: Your Committee on Ethics, to which was referred additions to the **Missouri Forest Products Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

TO: Representative Jason Crowell, Chairman House Ethics Committee

FROM: Representative J.C. Kuessner and Representative Chuck Purgason

DATE: April 14, 2004

RE: Missouri Forest Products Caucus Member Requests

Pursuant to Section 105.473.3(2)(c)d RSMo, and the rules of the Missouri House of Representatives, we are requesting the addition of Representative Jerry King as member of the Missouri Forest Products Caucus.

/s/ Representative Jerry King, District 125

Madam Speaker: Your Committee on Ethics, to which was referred the **2004 Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

TO: Chief Clerk, Steve Davis

FROM: State Representative Rod Jetton

DATE: April 21, 2004

RE: 2004 Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the 2004 Caucus.

Representative	District
/s/ Byrd, Richard (Chair)	94
/s/ Jetton, Rod	156
/s/ Behnen, Bob	2
/s/ Yates, Brian	56
/s/ Stefanick, Jodi	93
/s/ Ruestman, Marilyn	131
/s/ Dempsey, Tom	18
/s/ Lager, Brad	4
/s/ Wasson, Jay	141
/s/ Hobbs, Steve	21
/s/ Bearden, Carl	16
/s/ Skaggs, Trent	31
/s/ Young, Terry	49
/s/ Swinger, Terry	162

/s/ Villa, Tom	108
/s/ Page, Sam	82
/s/ Barnitz, Frank	150
/s/ LeVota, Paul	52
/s/ Walton, Juanita	81
/s/ Bringer, Rachel	6
/s/ Kratky, Fred	65

Committee on Health Care Policy, Chairman Holand reporting:

Madam Speaker: Your Committee on Health Care Policy, to which was referred **SCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 1211**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 1075**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **HB 1467** and **HB 903**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 771**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1040** and **HCS HB 1041**, entitled:

An act to repeal sections 105.454, 160.254, 162.700, 163.031, 163.036, 165.301, 167.031, 167.051, 168.104, 168.124, 168.126, 168.221, 168.303, 168.500, 168.515, 169.270, 169.291, 169.295, 169.322, 169.596, 169.712, 172.360, 174.453, 209.321, 302.272, and 393.310, RSMo, and to enact in lieu thereof thirty new sections relating to school personnel, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 7, Senate Amendment No.

10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16, Senate Amendment No. 17, Senate Amendment No. 18, Senate Amendment No. 19, Senate Amendment No. 20, Senate Amendment No. 22 and Senate Amendment No. 23.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 48, Section 174.453, Line 29, by inserting after “2004.” all of the following:

“209.296. No person shall represent himself as an interpreter or engage in the practice of interpreting as defined in section 209.285 in the state of Missouri unless he is certified by the Board of Certification of Interpreters pursuant to the provisions of sections 209.285 to 209.318 or holds a certification recognized in section 209.322.

209.316. Violations, penalty - injunction granted when - venue.-

1. A violation of any provision of sections 209.285 to 209.318 is a class A misdemeanor.

2. All fees or other compensation received for services rendered in violation of sections 209.285 to 209.318 shall be refunded.

3. The board, with approval of the commission, may sue in its own name in any court in this state. The board shall inquire diligently as to any violation of sections 209.285 to 209.318, shall institute actions for penalties herein prescribed, and shall enforce generally the provisions of sections 209.285 to 209.318.

4. Upon application by the board, the attorney general may on behalf of the board request that a court of competent jurisdiction grant an injunction, restraining order or other order as may be appropriate to enjoin a person from:

(1) Engaging in or offering to engage in the practice of interpreting for which a certification is required pursuant to 209.296, upon a showing that interpreting services were provided, or offered to be provided, without a certification issued pursuant to 209.285 to 209.318 or recognized in section 209.322; or

(2) Engaging in or offering to engage in the practice of interpreting, upon a showing that the holder presents a substantial probability of serious harm to the health, safety or welfare of any resident of this state.

5. Any action brought pursuant to the provisions of this section shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

6. Any action brought pursuant to this section may be in addition to or in lieu of any penalty provided by sections 209.285 to 209.339 and may be brought concurrently with other actions to enforce sections 209.285 to 209.339.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 45, Section 169.322, Line 71, by inserting immediately after said line the following:

“169.560. 1. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity in a district included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the employing school district does not utilize a salary schedule, or if the position in question is not subject to the employing district's salary schedule, a retiree employed in accordance with the provisions of this [section] subsection may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual

compensation payable for the position in the employing school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the nonteacher school employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such a district on a regular, full-time basis, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed and shall contribute to the retirement system.

2. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in a district included in the retirement system created by those sections in a certified staff position paid on the regular teachers' salary schedule on either a part-time or temporary-substitute basis for more than five hundred fifty hours but not to exceed a total of eight hundred hours in any one school year, and through such employment may earn up to seventy-five percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed seventy-five percent of the annual compensation payable for the position in the employing school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the seventy-five-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system because of earnings during such period of employment, and the district shall contribute to the retirement system on the basis of such earnings at the percentage rate established pursuant to this chapter for full-time employees of the retirement system. Such a person shall not accrue service credit upon the basis of employment authorized pursuant to this subsection. If such a person is employed in any capacity by such a district on a regular, full-time basis, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed and shall contribute to the retirement system.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 22, Section 167.052, Line 4, by inserting after all of said line the following:

“167.231. 1. Within all school districts except metropolitan districts the board of education shall provide transportation to and from school for all pupils living more than three and one-half miles from school and may provide transportation for all pupils. State aid for transportation shall be paid as provided in section 163.161, RSMo, only on the basis of the cost of pupil transportation for those pupils living one mile or more from school, including transportation provided to and from publicly operated university laboratory schools; **except that in districts which are no more than fifteen square miles in size, transportation costs for students who live less than one mile from their assigned school may be considered as reimbursable miles when the district can demonstrate that such students are required to cross a state highway, county arterial, or other major barrier that constitutes a safety problem.** The board of education may provide transportation for pupils living less than one mile from school **who do not face safety problems** at the expense of the district and may prescribe reasonable rules and regulations as to eligibility of pupils for transportation. If no increase in the tax levy of the school district is required to provide transportation for pupils living less than one mile from the school, the board may transport said pupils. If an increase in the tax levy of the school district is required to provide transportation for pupils living less than one mile from school, the board shall submit the question at a public election. If a two-thirds majority of the voters voting on the question at the election are in favor of providing the transportation, the board shall arrange and provide therefor.

2. The proposal and the ballots may be in substantially the following form:

Shall the board of education of the school district provide transportation at the expense of the district for pupils living less than one mile from school and be authorized to levy an additional tax of cents on the one hundred dollars assessed valuation to provide funds to pay for such transportation service?

☐ YES

☐ NO

(If you are in favor of the proposition (or question), place an X in the box opposite “YES”. If you are opposed to the proposition (or question), place an X in the box opposite “NO”.)

3. The board of education of any school district may provide transportation to and from school for any public school pupil not otherwise eligible for transportation under the provisions of state law, and may prescribe reasonable rules and regulations as to eligibility for transportation, if the parents or guardian of the pupil agree in writing to pay the actual cost of transporting the pupil. The minimum charge would be the actual cost of transporting the pupil for ninety school days, which actual cost is to be determined by the average per pupil cost of transporting children in the school district during the preceding school year. The full actual cost shall be paid by the parent or guardian of the pupil and shall not be paid out of any state school aid funds or out of any other revenues of the school district. The cost of transportation may be paid in installments, and the board of education shall establish the cost of the transportation and the time or times and method of payment.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 4, Section 160.254, Line 42, by inserting immediately after said line the following:

“160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to teachers and other school district employees with a need to know. For the purposes of this chapter or chapter 167, RSMo, “need to know” is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase “act of school violence” or “violent behavior” means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002, RSMo, to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following felonies, or any act which if committed by an adult would be one of the following felonies:

- (1) First degree murder under section 565.020, RSMo;
- (2) Second degree murder under section 565.021, RSMo;
- (3) Kidnapping under section 565.110, RSMo;
- (4) First degree assault under section 565.050, RSMo;
- (5) Forcible rape under section 566.030, RSMo;
- (6) Forcible sodomy under section 566.060, RSMo;
- (7) Burglary in the first degree under section 569.160, RSMo;
- (8) Burglary in the second degree under section 569.170, RSMo;
- (9) Robbery in the first degree under section 569.020, RSMo;
- (10) Distribution of drugs under section 195.211, RSMo;
- (11) Distribution of drugs to a minor under section 195.212, RSMo;
- (12) Arson in the first degree under section 569.040, RSMo;
- (13) Voluntary manslaughter under section 565.023, RSMo;
- (14) Involuntary manslaughter under section 565.024, RSMo;
- (15) Second degree assault under section 565.060, RSMo;

- (16) Sexual assault under section 566.040, RSMo;
- (17) Felonious restraint under section 565.120, RSMo;
- (18) Property damage in the first degree under section 569.100, RSMo;
- (19) The possession of a weapon under chapter 571, RSMo;
- (20) Child molestation in the first degree pursuant to section 566.067, RSMo;
- (21) Deviate sexual assault pursuant to section 566.070, RSMo;
- (22) Sexual misconduct involving a child pursuant to section 566.083, RSMo; or
- (23) Sexual abuse pursuant to section 566.100, RSMo;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

- (1) The superintendent, or in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and
- (2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

4. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010, RSMo: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

5. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

6. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policy of discipline developed by each board under this section, or when reporting to his or her supervisor or other person as mandated by state law, acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

7. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. Acts of violence as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020, RSMo, to any school district in which the student subsequently attempts to enroll.

8. Spanking, when administered by certificated personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210, RSMo. The provisions of sections 210.110 to 210.165, RSMo, notwithstanding, the division of family services shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to any spanking administered in a reasonable manner by any certificated school personnel pursuant to a written policy of discipline established by the board of education of the school district. Upon receipt of any reports of child abuse by the division

of family services pursuant to sections 210.110 to 210.165, RSMo, which allegedly involves personnel of a school district, the division of family services shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the division of family services and take no further action. In all matters referred back to the division of family services, the division of family services shall treat the report in the same manner as other reports of alleged child abuse received by the division. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the juvenile officer of the county in which the alleged incident occurred. The report shall be jointly investigated by the juvenile officer or a law enforcement officer designated by the juvenile officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by the juvenile officer or a law enforcement officer designated by the juvenile officer and the president of the school board or such president's designee. The investigation shall begin no later than forty-eight hours after notification from the division of family services is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the division of family services. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated. The school board shall consider the separate reports and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school board personnel agree that the evidence shows that no abuse occurred;

(2) The report of the alleged child abuse is substantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel agree that the evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

9. The findings and conclusions of the school board shall be sent to the division of family services. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the division of family services' central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the division of family services shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the division of family services shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the division of family services unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

10. Any superintendent of schools, president of a school board or such person's designee or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

11. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 45, Section 169.596, Line 8, by inserting after “superintendent” the following:

“unless the district has a shortage of superintendents, as determined by both the school district and the state board of education”.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 49, Section 209.321, Line 30, by inserting immediately after said line the following:

“210.145. 1. The division shall establish and maintain an information system operating at all times, capable of receiving and maintaining reports. This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

2. Upon receipt of a report, the division shall immediately communicate such report to its appropriate local office and any relevant information as may be contained in the information system. The local division staff shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child.

3. The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report which division personnel determine merits an investigation, or, which, if true, would constitute a suspected violation of any of the following: section 565.020, 565.021, 565.023, 565.024 or 565.050, RSMo, if the victim is a child less than eighteen years of age, section 566.030 or 566.060, RSMo, if the victim is a child less than eighteen years of age, or other crime under chapter 566, RSMo, if the victim is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050, RSMo, if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, RSMo, section 573.025, 573.037 or 573.045, RSMo, or an attempt to commit any such crimes. The local office shall provide such agency with a detailed description of the report received. In such cases the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within twenty-four hours, an explanation in writing detailing the reasons why it is unable to assist.

4. The local office of the division shall cause an investigation or family assessment and services approach to be initiated immediately or no later than within twenty-four hours of receipt of the report from the division, except in cases where the sole basis for the report is educational neglect. If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child within twenty-four hours of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation. If the parents of the child are not the alleged abusers, a parent of the child must be notified prior to the child being interviewed by the division. The division shall not meet with the child [at the child's school or child-care facility] **in any school building or child care facility building where abuse of such child is alleged to have occurred**. When the child is reported absent from the residence, the location and the well-being of the child shall be verified.

5. The director of the division shall name at least one chief investigator for each local division office, who shall direct the division response on any case involving a second or subsequent incident regarding the same subject child or perpetrator. The duties of a chief investigator shall include verification of direct observation of the subject child by the division and shall ensure information regarding the status of an investigation is provided to the public school district liaison. The public school district liaison shall develop protocol in conjunction with the chief investigator to ensure information regarding an investigation is shared with appropriate school personnel. The superintendent of each school district shall designate a specific person or persons to act as the public school district liaison. Should the subject child

attend a nonpublic school the chief investigator shall notify the school principal of the investigation. Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R., Part 99.

6. The investigation shall include but not be limited to the nature, extent, and cause of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the names and conditions of other children in the home, if any; the home environment and the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence against any other household or family member; and other pertinent data.

7. When a report has been made by a person required to report under section 210.115, the division shall contact the person who made such report within forty-eight hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

8. Upon completion of the investigation, if the division suspects that the report was made maliciously or for the purpose of harassment, the division shall refer the report and any evidence of malice or harassment to the local prosecuting or circuit attorney.

9. Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division in conjunction with local law enforcement. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

10. If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment and services approach. The division shall provide written notification to local law enforcement prior to terminating any investigative process. The reason for the termination of the investigative process shall be documented in the record of the division and the written notification submitted to local law enforcement. Such notification shall not preclude nor prevent any investigation by law enforcement.

11. If the appropriate local division personnel determines to use a family assessment and services approach, the division shall:

(1) Assess any service needs of the family. The assessment of risk and service needs shall be based on information gathered from the family and other sources;

(2) Provide services which are voluntary and time-limited unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services. The division shall identify services for families where it is determined that the child is at high risk of future abuse or neglect. The division shall thoroughly document in the record its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect to the child. If the family continues to refuse voluntary services or the child needs to be protected, the division may commence an investigation;

(3) Commence an immediate investigation if at any time during the family assessment and services approach the division determines that an investigation, as delineated in sections 210.109 to 210.183, is required. The division staff who have conducted the assessment may remain involved in the provision of services to the child and family;

(4) Document at the time the case is closed, the outcome of the family assessment and services approach, any service provided and the removal of risk to the child, if it existed.

12. Within thirty days of an oral report of abuse or neglect, the local office shall update the information in the information system. The information system shall contain, at a minimum, the determination made by the division as a result of the investigation, identifying information on the subjects of the report, those responsible for the care of the subject child and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If the investigation is not completed within thirty days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be updated to reflect any subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

13. A person required to report under section 210.115 to the division shall be informed by the division of his right to obtain information concerning the disposition of his or her report. Such person shall receive, from the local office, if requested, information on the general disposition of his or her report. A person required to report to the division pursuant to section 210.115 may receive, if requested, findings and information concerning the case. Such release of information shall be at the discretion of the director based upon a review of the mandated reporter's ability to assist in protecting the child or the potential harm to the child or other children within the family. The local office shall respond

to the request within forty-five days. The findings shall be made available to the mandated reporter within five days of the outcome of the investigation.

14. In any judicial proceeding involving the custody of a child the fact that a report may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However, nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made.

15. In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services pursuant to subdivision (d) of subsection 1 of section 211.031, RSMo, and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

16. The division of family services is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021, RSMo, and chapter 536, RSMo, to carry out the provisions of sections 210.109 to 210.183.

17. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.”; and

Further amend said bill, Page 53, Section B, Line 2, by striking the second “and”; and

Further amend said line by inserting after “168.515” the following “**and 210.145**”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 53, Section 2, Line 5, by inserting immediately after said line the following:

“Section 3. If a public school district hosts a district-sponsored Internet web site, that district shall post on such site:

(1) A current version of that district's policy manual and all related documents; and

(2) A current version of that district's handbook, or, if the district has more than one handbook, handbooks.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 26, Section 168.126, Line 46, by inserting immediately after said line the following:

“168.211. 1. In metropolitan districts the superintendent of schools shall be appointed by the board of education for a term of one to four years, during which term his compensation shall not be reduced. [In the event the board shall dismiss the superintendent during said term, he shall be paid compensation only for the balance of the current year.] The superintendent of schools shall appoint, with the approval of the board, a treasurer, a commissioner of school buildings and he shall serve at the pleasure of the superintendent of schools and as many associate and assistant superintendents as he deems necessary, whose compensation shall be fixed by the board. The superintendent of schools shall give bond in the sum that the board requires but not less than fifty thousand dollars. No employee or agent of the board shall be a member of the board.

2. The superintendent of schools shall have general supervision, subject to the control of the board, of the school system, including its various departments and physical properties, courses of instruction, discipline and conduct of the

schools, textbooks and studies. All appointments, promotions and transfers of teachers, and introduction and changes of textbooks and apparatus, shall be made by the superintendent with the approval of the board. All appointments and promotions of teachers shall be made upon the basis of merit, to be ascertained, as far as practicable, in cases of appointment, by examination, and in cases of promotion, by length and character of service. Examinations for appointment shall be conducted by the superintendent under regulations to be made by the board. He shall make such reports to the board that it directs or the rules provide.

3. The superintendent of schools shall have general supervision, subject to the approval of the board, of all school buildings, apparatus, equipment and school grounds and of their construction, installation, operation, repair, care and maintenance; the purchasing of all supplies and equipment; the operation of the school lunchrooms; the administration of examinations for the appointment and promotion of all employees of the school system; and the preparation and administration of the annual budget for the school system. Subject to the approval of the board of education as to number and salaries, the superintendent may appoint as many employees as are necessary for the proper performance of his duties.

4. The board may grant a leave of absence to the superintendent of schools, and may remove him from office by vote of a majority of its members.

5. The commissioner of school buildings shall be a person qualified by reason of education, experience and general familiarity with buildings and personnel to assume the following responsibilities and duties. Subject to the control of the superintendent of schools, he shall exercise supervision over all school buildings, machinery, heating systems, equipment, school grounds and other buildings and premises of the board of education and the construction, installation, operation, repair, care and maintenance related thereto and the personnel connected therewith; the purchasing of building supplies and equipment and such other duties as may be assigned to him by board rules or regulations, provided that this provision shall not apply to any commissioner of school buildings serving on October 13, 1967.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 4, Section 160.254, Line 42, by inserting immediately after said line the following:

“161.415. 1. Within the limits of amounts appropriated therefor, the department of elementary and secondary education shall make available up to [one] **two** hundred one-year, renewable scholarships in an amount of two thousand dollars to minority students for the purpose of encouraging minority students to enter teaching. **Such scholarship shall be increased to three thousand dollars if the student is entering the special education field.** Such scholarships shall be available to minority high school graduates and college students who are residents of Missouri, and who enter and make a commitment to pursue a teacher education program approved by the department of elementary and secondary education and offered by a four-year college or university located in Missouri, or who after the completion of their baccalaureate degree enter teacher education and make a commitment to teach science, [or] mathematics, **or special education**, and who have:

(1) Achieved scores on an accepted standardized test of academic ability, including, but not limited to, the SAT, ACT, SCAT, which place them at or above the seventy-fifth percentile; [and] **or**

(2) A high school rank at or above the seventy-fifth percentile.

2. If the number of applicants exceeds the number of scholarships or revenues available, the department of elementary and secondary education may consider the financial needs of the applicant.

3. Any college or university located in Missouri which offers a teacher education program approved by the department of elementary and secondary education, and wishes to have the scholarships provided pursuant to this section made available to eligible applicants for admittance to such college or university, must provide matching funds to match one dollar for every two dollars made available by the state pursuant to this section for students attending the college or university. [Such matching funds shall not be taken from money made available to the college or university from state funds.] The total scholarship available to any one student from state and from college and university sources pursuant to such match program shall be three thousand dollars per year, **or in the case of those students entering the special education field, four thousand dollars per year.**

4. A recipient shall be eligible for a renewed scholarship for a maximum of three additional years. Eligibility for renewed scholarships shall be based on criteria established by the colleges of education and the department of elementary and secondary education.

5. As used in this section the term “minority” includes Asian Americans, Hispanic Americans, Native Americans and African Americans.

6. The scholarships provided in subsection 1 of this section shall be available to otherwise eligible students who are currently enrolled in a community college and make a commitment to pursue a teacher education program approved by the department of elementary and secondary education and offered by a four-year college or university located in Missouri.

7. If a student ceases their study prior to receiving a degree, any scholarship received under this section shall be treated as a loan to the student and interest at the rate of nine and one-half percent per year shall be charged upon the unpaid balance of the amount received from the date the student ceases their study until the amount received is paid back to the state. In order to provide for the servicing of such loans, the department of elementary and secondary education may sell such loans to the higher education loan authority of the state of Missouri created under sections 173.350 to 173.450, RSMo.

8. Every student receiving scholarships under this section shall teach in an elementary or secondary public school in this state for a period of five years after receiving a degree or the scholarship shall be treated as a loan to the student and interest at the rate of nine and one-half percent per year shall be charged upon the unpaid balance of the amount received from the date the student ceases to teach until the amount received is paid back to the state. In order to provide for the servicing of such loans, the department of elementary and secondary education may sell such loans to the higher education loan authority of the state of Missouri created under sections 173.350 to 173.450, RSMo. For each year that the student teaches up to five years, one-fifth of the amount which was received under this section shall be applied against the total amount received and shall not be subject to the repayment requirement of this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 15, Section 163.036, Lines 6-10, by striking said lines; and

Further amend said bill and section, Page 16, Lines 11 to 21, by striking said lines and inserting in lieu thereof the following:

“year, whichever is greater. **Beginning with**”.

Senate Amendment No. 15

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 3, Section 105.454, Line 60, by inserting after all of said line the following:

“115.124. 1. Notwithstanding any other law to the contrary, in a nonpartisan election in any political subdivision [or special district] except for municipal [and], board of trustees of community college districts, **and school board** elections, if the notice provided for in subsection 5 of section 115.127 has been published in at least one newspaper of general circulation in the district, and if the number of candidates who have filed for a particular office is equal to the number of positions in that office to be filled by the election, no election shall be held for such office, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they had been elected. Notwithstanding any other provision of law to the contrary, if at any election the number of candidates filing for a particular office exceeds the number of positions to be filled at such election, the election authority shall hold the election as scheduled, even if a sufficient number of candidates withdraw from such contest for that office so that the number of candidates remaining after the filing deadline is equal to the number of positions to be filled.

2. The election authority or political subdivision responsible for the oversight of the filing of candidates in any nonpartisan election in any political subdivision or special district shall clearly designate where candidates shall form a line to effectuate such filings and determine the order of such filings; except that, in the case of candidates who file a

declaration of candidacy with the election authority or political subdivision prior to 5:00 p.m. on the first day for filing, the election authority or political subdivision may determine by random drawing the order in which such candidates' names shall appear on the ballot. If a drawing is conducted pursuant to this subsection, it shall be conducted so that each candidate may draw a number at random at the time of filing. If such drawing is conducted, the election authority or political subdivision shall record the number drawn with the candidate's declaration of candidacy. If such drawing is conducted, the names of candidates filing on the first day of filing for each office on each ballot shall be listed in ascending order of the numbers so drawn.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 16

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 5, Section 162.032, Line 11, by inserting immediately after said line the following:

“162.065. Any school district which provides bussing services to its students and any private transportation company which provides bussing services to a school district shall do the following:

- (1) Consult the Missouri sex offender registration list prior to selecting school bus stops; and**
- (2) Have manifests containing the name, home address, bus stop, and destination of each student that is allowed to use a school bus and provide a copy of such list to each school bus driver so that any person who attempts to board a school bus who is not on such manifest can be denied access to such bus.**

162.067. During fall registration, all school districts shall provide, to each student’s parent or family, background information on the district’s transportation program which shall include the name of the private transportation company the district uses, if any, the results of highway patrol safety inspections on busses that will be used to transport students, and any corporate safety information regarding such busses that is available.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 26, Section 168.126, Lines 28-32, by striking all boldfaced language from said lines and inserting in lieu thereof the following:

“If a district eliminates non-tenured staff for financial reasons, the district shall place such teachers on leave of absence as provided in section 168.124.”.

Senate Amendment No. 18

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 53, Section 393.310, Line 53, by inserting immediately after said line the following:

“488.5020. A surcharge of twenty dollars shall be assessed as costs in each court proceeding filed in any court in the state in all felony criminal cases involving chapters 195, 565, 566, 569, 570, and 571, RSMo; except that no such surcharge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality.

589.313. 1. There is hereby created in the state treasury the “GREAT Fund”. The fund shall consist of one-half of the money collected pursuant to section 488.5019, RSMo, in addition to money appropriated by the general assembly, charges, gifts, grants, bequests from federal, private, or other sources and investment income on the fund. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the GREAT fund shall not be transferred and placed to the credit of the general revenue fund. The remaining one-half of the

funds collected pursuant to section 488.5020, RSMo, shall be used to fund the after-school reading retreat program as described in section 167.680, RSMo.

2. This fund shall be administered by the department of elementary and secondary education in accordance with the provisions of this section.

3. The department of elementary and secondary education in conjunction with local law enforcement who agree to participate shall, develop a "Gang Resistance Education and Training Program" (GREAT) for school districts which the department of elementary and secondary education determines are in need of such programs. GREAT shall be designed to help children set goals, resolve conflicts without violence, resist school bullying, and understand how gangs and youth violence impacts individuals and communities. The funds received annually by the GREAT fund shall be distributed to the gang resistance education and training program (GREAT) to be used to promote the program. The department of elementary and secondary education shall work together to develop criteria for local law enforcement and local public school districts, working together, to receive funds to carry out the goals of GREAT.

4. The department of elementary and secondary education shall develop a grant program to provide school districts with matching grants to fund the after-school reading retreat program as described in section 167.680, RSMo. The after-school reading retreat program shall put emphasis on improving the reading skills of children who attend the program along with other instruction. The department of elementary and secondary education with the approval of the state board of education shall develop the criteria for public school districts to receive said funds."; and

Further amend said bill, Page 54, Section B, Line 8, by inserting immediately after said line the following:

"Section C. The provisions of sections 488.5020 and 589.313 of this act shall terminate on December 31, 2009."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 19

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 47, Section 169.712, Line 33, by inserting after all of said line the following:

"171.053. 1. Any school district which allows an excused absence for athletics or any other extracurricular school activity shall allow, pursuant to its written policy and with the approval of the responsible sponsoring school employee, any student enrolled in the district to use such regularly scheduled instructional time as is reasonably necessary for such student to participate in an officially sanctioned activity of such programs as, but not limited to, the Future Farmers of America Organization (FFA organization), Family, Career, and Community Leaders of America (FCCLA), 4-H, and organized competitions at the state fair; provided, if the program is not a part of the Missouri state fair or 4-H, that such program has a local chapter which is officially recognized by the student's school.

2. For the purpose of distributing state school aid pursuant to section 163.031, RSMo, a student who is participating in an officially sanctioned activity of any such program, as provided pursuant to subsection 1 of this section, shall be considered to be attending regularly scheduled instruction in the district and such hours of participation occurring during the regular school day shall be included in the district's calculation of average daily attendance, as defined in section 163.011, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 20

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 4, Section 160.254, Line 42, by inserting immediately after said line the following:

“160.545. 1. There is hereby established within the department of elementary and secondary education the “A+ Schools Program” to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

- (1) All students be graduated from school;
- (2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and
- (3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

- (1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and
- (2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and
- (3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and
- (4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and
- (5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

4. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092, RSMo, and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

5. For any school year, grants authorized by subsections 1 to 3 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 6 of this section.

6. **Within the limits established in subsection 8 of this section**, the commissioner of education shall, by rule and regulation of the state board of education and with the advice of the coordinating board for higher education, establish a procedure for the reimbursement of the cost of tuition, books, and fees to any public community college [or], vocational, or technical school, **or any private vocational or technical school** for any student:

(1) Who has attended a public high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section, except that students who are active duty military dependents who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the state board of education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of said board.

7. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

8. The following requirements must be satisfied in order for private vocational or technical schools to obtain reimbursements pursuant to subsection 6 of this section:

(1) Such institutions must be members of the North Central Association and be accredited by the Higher Learning Commission;

(2) No private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of that community college; and

(3) The reimbursements provided to private vocational or technical schools shall not violate the provisions of article IX, section 8, or article I, section 7, of the Missouri Constitution or the first amendment to the United States Constitution.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 22

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 22, Section 167.052, Line 4, by inserting after the end of said line the following:

“167.166. 1. No employee, volunteer, or school board member of any public school or charter school within this state shall perform or direct a strip search as defined in section 544.193, RSMo, of any student of any such school. No employee, volunteer, or school board member of any public school or charter school within this state shall direct a student to take part in, direct, supervise, be present for or witness a strip search of a fellow student. Any employee, volunteer, or school board member who violates this subsection shall be immediately suspended from their association with the school, without pay if such person would otherwise receive pay, pending an evidentiary hearing on the matter. In the event the person suspended is found, after an evidentiary hearing, to have violated this subsection, such person shall be subject to sanctions up to and including termination from the school or on the school board.

2. In the event a certified law enforcement officer has probable cause to believe that a student of a public or charter school in this state has concealed a deadly or dangerous weapon on the student’s person and is present on the property of the school, such officer may detain the student for the limited purpose of conducting a search and may conduct a strip search of such student as defined and limited in section 544.193, RSMo, and pursuant to the limitations and provisions of this subsection, only to the limited extent reasonably necessary to determine whether the student has possession of a deadly or dangerous weapon and to take possession of any such weapon if found on the person of the student. No male law enforcement officer shall conduct or be present during the strip search of a female student performed pursuant to this subsection. No female law enforcement officer shall conduct or be present during the strip search of a male student performed pursuant to this subsection. Any student to be strip searched pursuant to this subsection shall not be strip searched until the student has been given a reasonable opportunity to make contact with the student’s parents or legal guardians, including at least contact by telephone, and to inform such persons of the impending strip search and to discuss same with such persons. In the event a parent or legal guardian of the student is successfully contacted and expresses a desire to be present during the

strip search, the strip search shall not be commenced until the parent or legal guardian expressing such desire has been given at least fifteen minutes to appear at the location of the strip search.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 23

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1040 and House Committee Substitute for House Bill No. 1041, Page 45, Section 169.322, Line 71, by inserting after all of said line the following:

“169.577. Any member of a retirement system subject to the provisions of this chapter, who is within five years of being eligible to retire with a retirement allowance as provided in this chapter, may elect to purchase additional creditable service of up to [five-tenths] **six-tenths** of a year which shall, when so purchased, be included in the total of the member's years of creditable service, used to enable the member to achieve the minimum creditable service time required for a retirement allowance, and applied in the computation of the member's annual service retirement allowance. For any member of a retirement system established by sections 169.010 to 169.141 or 169.600 to 169.715, and notwithstanding any other provision within this section to the contrary, the purchase shall be effected in the same manner as provided in section 169.056. The request for purchase of the additional creditable service shall be made in writing to the board of trustees of the system in which the applicant is a member. The purchase shall be effected by the member paying to the retirement system the amount required by the rules and regulations established by the respective retirement system, or absent such rules and regulations, the amount, with interest, the member would have contributed thereto and the amount the member's employer would have contributed thereto had the person been employed in a position covered by the retirement system for the number of months for which the member is electing to purchase credit, and had the member's compensation during such period been the same as the annual salary rate at which the member is receiving at the time of application, and the contribution rate in effect on the date of election to purchase credit. The payment shall be completed prior to termination of membership with the retirement system with interest on the unpaid balance. Nothing in this section shall be construed to allow a member to vest in the retirement system by using the creditable service purchased pursuant to the provisions of this section to reach the time of vesting.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1002, as amended**, and has taken up and passed **CCS SCS HS HCS HB 1002**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1003** and has taken up and passed **CCS SCS HS HCS HB 1003**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1004** and has taken up and passed **CCS SCS HS HCS HB 1004**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1005, as amended**, and has taken up and passed **CCS SCS HS HCS HB 1005**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 959**, entitled:

An act to repeal sections 33.103, 166.415, 166.435, 408.032, 408.140, 408.190, 408.232, 443.130, 506.290, and 541.033, RSMo, and sections 570.223 and 570.224 as truly agreed to and finally passed by the second regular session of the ninety-second general assembly in senate committee substitute for house bill no. 916, and to enact in lieu thereof thirty-two new sections relating to banking, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 959, Page 27, Section 1, Line 8, by inserting immediately after the word “rate” the following:

“, provided that no more than twenty percent of the debt of the public entity to be outstanding on the day after the issuance of any variable rate debt shall be variable rate debt”.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 959, Page 23, Section 506.290, Line 17, by inserting after all of said line the following:

“513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person's interest therein:

(1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed [one] **three** thousand dollars in value in the aggregate;

(2) **A wedding ring not to exceed one thousand five hundred dollars in value and other** jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value [four] **six** hundred dollars in the aggregate;

(4) Any implements, professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed [two] **three** thousand dollars in value in the aggregate;

(5) Any motor vehicle **in the aggregate**, not to exceed [one] **three** thousand dollars in value;

(6) Any mobile home used as the principal residence **but not on or attached to real property in which the debtor has a fee interest**, not to exceed [one] **five** thousand dollars in value;

(7) Any one or more unmatured life insurance contracts owned by such person, other than a credit life insurance contract;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmatured life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within one year prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a local public assistance benefit;

- (b) A veteran's benefit;
- (c) A disability, illness or unemployment benefit;
- (d) Alimony, support or separate maintenance, not to exceed [five] **seven hundred fifty** dollars a month;
- (e) Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established pursuant to section 456.072, RSMo, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:
 - a. Such plan or contract was established by or under the auspices of an insider that employed such person at the time such person's rights under such plan or contract arose;
 - b. Such payment is on account of age or length of service; and
 - c. Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. 401(a), 403(a), 403(b), 408, 408A or 409);

except that any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986, as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan or profit-sharing plan that is qualified under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, except as provided in this paragraph. Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its division of family services. As used in this paragraph, the terms "alternate payee" and "qualified domestic relations order" have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986, as amended.

If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in section 456.630, RSMo, and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor's right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Section 408A of the Internal Revenue Code of 1986, as amended.

513.440. Each head of a family may select and hold, exempt from execution, any other property, real, personal or mixed, or debts and wages, not exceeding in value the amount of [eight hundred fifty dollars plus two hundred] **one thousand two hundred fifty dollars plus three hundred** fifty dollars for each of such person's unmarried dependent children under the age of eighteen years **or dependent as defined by the Internal Revenue Code of 1986, as amended, determined to be disabled by the Social Security Administration**, except ten percent of any debt, income, salary or wages due such head of a family.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 959, Page 6, Section 166.435, Line 1, by deleting said section and amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

RECESS

On motion of Representative Crowell, the House recessed until **HS HCS SCS SBs 1020, 889 & 869** was distributed.

The hour of recess having expired, the House was called to order by Speaker Hanaway.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned as of 9:55 p.m., Tuesday, May 4, 2004, until 10:00 a.m., Wednesday, May 5, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Chuck Graham, District 24, hereby state and affirm that my vote as recorded on Page 1306 of the House Journal for Monday, May 3, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of May 2004.

/s/ Chuck Graham
State Representative

[illegible]

Subscribed and sworn to before me this 4th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 1311 of the House Journal for Monday, May 3, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of May 2004.

/s/ Rick Johnson
State Representative

[illegible]

Subscribed and sworn to before me this 4th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my vote as recorded on Page 1311 of the House Journal for Monday, May 3, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of May 2004.

/s/ Bryan Pratt
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 4th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE

Thursday, May 6, 2004, 9:00 a.m. Hearing Room 4.
Possible Executive session.
Public hearing to be held on: SCS SB 810

BUDGET

Wednesday, May 5, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session.
Other bills as assigned or referred for fiscal review.

BUDGET

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session.
Other bills as assigned or referred for fiscal review.

CORRECTIONS AND STATE INSTITUTIONS

Thursday, May 6, 2004, 8:30 a.m. Hearing Room 7.
Executive session may follow.
Public hearing to be held on: HCR 37

CONFERENCE COMMITTEE NOTICE

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 1.
Conference Committee SCS HCS HB 1305.

CONSERVATION AND NATURAL RESOURCES

Wednesday, May 5, 2004, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: SB 1153

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, May 6, 2004, House Chamber side gallery upon morning adjournment.

AMENDED

Public hearing to be held on: SS SB 1023

Executive session will be held on: SS SCS SCR 36

ELECTIONS

Wednesday, May 5, 2004, 12:00 p.m. Hearing Room 3.

Executive session to follow the hearing.

Public hearings to be held on: HB 1744, HB 1745

HOMELAND SECURITY AND VETERANS AFFAIRS

Thursday, May 6, 2004, Hearing Room 5 upon morning adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 23, SCS SB 1171

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, May 5, 2004, 12:00 p.m. Hearing Room 6.

Public hearing to be held on: HB 1503

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

JUDICIARY

Wednesday, May 5, 2004, Hearing Room 1 upon morning adjournment.

Executive session on other bills may occur.

Public hearings to be held on: HR 1564, SB 1076

Executive session will be held on: SB 1076, SB 807, SCS SB 980

LOCAL GOVERNMENT

Thursday, May 6, 2004, 9:00 a.m. Hearing Room 6.

Executive session will be held on: SS SCS SB 1183

SMALL BUSINESS

Wednesday, May 5, 2004, Hearing Room 4 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HCR 39, SCS SB 1196

HOUSE CALENDAR

SIXTY-THIRD DAY, WEDNESDAY, MAY 05, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1099 - Reinhart (34)
- 2 HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)
- 3 HB 1548, (Budget 5-04-04) - Deeken (114)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289 - 1290) - Engler (106)
- 2 SCR 34, (5-04-04) - Crawford (117)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 SB 1055 - Johnson (47)
- 8 SCS SB 992 - Mayer (159)
- 9 SCS SB 956 - Wilson (119)
- 10 SB 951 - Threlkeld (109)
- 11 SCS SB 901, HCA 1 - Townley (112)
- 12 SB 899 - Dusenberger (54)
- 13 HCS SB 824 - Schlottach (111)
- 14 HCS SCS SB 782 - Johnson (47)
- 15 HCS SB 769, E.C. - Emery (126)
- 16 SCS SB 767 - Cunningham (145)
- 17 SCS SB 757, HCA 1 - Cooper (120)
- 18 SB 1130 - Deeken (114)
- 19 SCS SB 1172 - Fares (91)

(4/28/04)

- 1 SCS SB 788, E.C. - Goodman (132)
- 2 SB 842, E.C. - Wood (62)
- 3 SCS SB 859 - Stefanick (93)
- 4 SCS SB 952 - Johnson (47)
- 5 SCS SB 1078 - Richard (129)
- 6 SB 1083 - Schaaf (28)
- 7 SB 1086 - Pearce (121)
- 8 SCS SB 1195 - Lager (4)
- 9 SCS SB 1235 - Luetkemeyer (115)
- 10 HCS SB 1242 - Wilson (42)
- 11 SB 1243 - Byrd (94)
- 12 SB 1249 - Dempsey (18)
- 13 SCS SB 1250 - Rector (124)
- 14 SCS SB 1253 - Dempsey (18)
- 15 HCS SB 1259 - Taylor (68)
- 16 SB 1285 - Cooper (120)
- 17 HCS SB 1299 - Luetkemeyer (115)
- 18 SB 1302, E.C. - Morris (138)
- 19 SCS SB 1304 - Lembke (85)
- 20 SB 1320 - Luetkemeyer (115)

(4/29/04)

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberg (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)

(5/03/04)

- 1 SB 781 - Byrd (94)
- 2 HCS SCS SB 799 - Rupp (13)
- 3 SB 883 - Lager (4)
- 4 SCS SB 1044 - Pearce (121)
- 5 HCS SCS SB 1247 - Byrd (94)

(5/05/04)

- 1 HCS SCS SB 771 - Daus (67)
- 2 SCS SB 1075 - Jones (63)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SB 932, HA 3 and HS, as amended, pending - Wilson (130)
- 3 HCS SCS SBs 1020, 889 & 869, (Budget 4-19-04) - Goodman (132)
- 4 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 5 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 6 SS SS SCS SB 715 - Johnson (47)
- 7 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 8 HCS SCS SB 1038, (Budget 4-26-04) - Luetkemeyer (115)
- 9 HCS SCS SB 1365 - Jackson (89)
- 10 HCS SB 870 - Pearce (121)
- 11 SB 966 - Smith (118)
- 12 HCS SS SB 1000 - Mayer (159)
- 13 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 14 SB 920 - Cooper (155)
- 15 HCS SS SCS SB 960 - Cooper (120)

- 16 SCS SB 1062 - Johnson (47)
- 17 SCS SB 1155 - Dempsey (18)
- 18 HCS SS SCS SB 1279, (Budget 4-29-04) - Schaaf (28)
- 19 SCS SB 1045 - Haywood (71)
- 20 HCS SCS#2 SB 762, (Budget 5-04-04), E.C. - Hanaway (87)
- 21 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 22 HCS SCS SB 1269 - Dempsey (18)
- 23 HCS SB 1211 - Byrd (94)
- 24 SCS SB 1265 - Byrd (94)
- 25 HCS SB 1391, (Budget 5-04-04) - Black (161)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1071, 801, 1275 & 989, E.C. - Goodman (132)
- 2 SCS HB 938, E.C. - Luetkemeyer (115)
- 3 SCS HS HCS HB 1290 - Portwood (92)
- 4 SCS HB 822 - Luetkemeyer (115)
- 5 SCS HCS HB 1321 - Schaaf (28)
- 6 SCS HCS HB 1456 and HB 824 - Black (161)
- 7 SCS HCS HB 1136 - Rupp (13)
- 8 SCS HCS HB 1040 and HCS HB 1041, as amended, E.C. - Cunningham (86)
- 9 SCS HCS HB 959, as amended - Luetkemeyer (115)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SCS HS HCS HB 1006 - Bearden (16)
- 3 SCS HS HCS HB 1008 - Bearden (16)
- 4 SCS HS HCS HB 1011, as amended - Bearden (16)
- 5 CCR SCS HS HCS HB 1012, as amended - Bearden (16)
- 6 SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 7 SCS HCS HB 1305, as amended - Byrd (94)
- 8 SS HS HCS HB 978, as amended - Baker (123)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-THIRD DAY, WEDNESDAY, MAY 5, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

You, O Lord, are always our shield from danger; You give us victory and restore our courage. We sleep and wake up refreshed because You, Lord, protect us. So we approach this day with renewed vigor, clear thought and uncanny perspective.

Be gracious to us and hear our prayer. Grant us Your blessed favor and wisdom. Encompass our actions today with common sense and assurances that what we do here help make life a little enjoyable for those we serve.

May we experience the joy of selfless service.

To You be the glory, both now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: John Charles Edward Gaskin III, Andrew Baxley, Samantha Gravitt, Sara Murphy, Sean Kaelble, Jordan Sontheimer, Sadie Wilhite, Henry Winn and Letitia Grogg.

The Journal of the sixty-second day was approved as corrected.

SPECIAL RECOGNITION

Ralph Smith was introduced by Representative Nieves and recognized as an Outstanding Missourian.

Rhonda Anderson Saitta was introduced by Representative Portwood and recognized as an Outstanding Missourian.

Maggie Brown was introduced by Representative Sander and recognized as an Outstanding Missouri Student.

Nick Orf was introduced by Representative Schneider and recognized as an Outstanding Missouri Student.

Marilyn Rufkahr was introduced by Representatives Muckler and Haywood and recognized as an Outstanding Missourian.

Suzanne Duncan was introduced by Representative Baker and recognized as an Outstanding Missourian.

Representative Lipke assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2632	-	Representatives Smith (14) and Bearden
House Resolution No. 2633	-	Representative Holand
House Resolution No. 2634		
and		
House Resolution No. 2635	-	Representative Dethrow
House Resolution No. 2636	-	Representative Munzlinger
House Resolution No. 2637	-	Representative Cunningham (86)
House Resolution No. 2638	-	Representative Crowell
House Resolution No. 2639	-	Representative Emery
House Resolution No. 2640	-	Representative Wright
House Resolution No. 2641	-	Representative Roark
House Resolution No. 2642	-	Representative Crowell
House Resolution No. 2643	-	Representative Yates
House Resolution No. 2644	-	Representative Corcoran
House Resolution No. 2645	-	Representative Crawford
House Resolution No. 2646	-	Representative Byrd
House Resolution No. 2647	-	Representative LeVota
House Resolution No. 2648	-	Representative Ransdall
House Resolution No. 2649	-	Representative Fares
House Resolution No. 2650	-	Representative Wilson (130)
House Resolution No. 2651	-	Representative Lager
House Resolution No. 2652	-	Representative Dixon
House Resolution No. 2653	-	Representative Hoskins
House Resolution No. 2654	-	Representative McKenna
House Resolution No. 2655	-	Representative Harris (23)
House Resolution No. 2656	-	Representative Curls
House Resolution No. 2657	-	Representatives Lowe and Black
House Resolution No. 2658	-	Representative Nieves
House Resolution No. 2659	-	Representative Hobbs
House Resolution No. 2660	-	Representative Hubbard
House Resolution No. 2661	-	Representative Riback Wilson (25)
House Resolution No. 2662	-	Representative Hoskins

House Resolution No. 2663 - Representative Jetton
House Resolution No. 2664 - Representative Bringer
House Resolution No. 2665 - Representative Lowe
House Resolution No. 2666 - Representative Johnson (61)
House Resolution No. 2667 - Representative Sager
House Resolution No. 2668 - Representative Fares
House Resolution No. 2669 - Representative Portwood
House Resolution No. 2670 - Representatives Lowe and Black
House Resolution No. 2671 - Representative Johnson (90)
House Resolution No. 2672 - Representatives Lowe and Black
House Resolution No. 2673 - Representative Schoemehl

COMMITTEE REPORTS

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HB 1548** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SCS#2 SB 762** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SCS SBs 1020, 889 & 869** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SCS SB 1038** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SB 1279** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 901, with House Committee Amendment No. 1, relating to environmental control, was taken up by Representative Townley.

SCS SB 901, with House Committee Amendment No. 1, pending, was laid over.

HCS SB 824, relating to vehicle identification numbers, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS SB 824** was adopted.

On motion of Representative Schlottach, **HCS SB 824** was read the third time and passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 006

Darrough	Harris 110	Meadows	Sager	Thompson
Walker				

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	El-Amin	Jackson
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Representative Lipke declared the bill passed.

HCS SCS SB 782, relating to county treasurers, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HCS SCS SB 782** was adopted.

On motion of Representative Johnson (47), **HCS SCS SB 782** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Jackson	Portwood	Townley
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Representative Lipke declared the bill passed.

Speaker Hanaway resumed the Chair.

HCS SB 769, relating to road districts, was taken up by Representative Emery.

On motion of Representative Emery, **HCS SB 769** was adopted.

On motion of Representative Emery, **HCS SB 769** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Cunningham 145	Jackson	Purgason
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Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell

Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Haywood	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 007

Harris 110	Harris 23	Johnson 61	Johnson 90	Sager
Walker	Witte			

PRESENT: 001

Henke

ABSENT WITH LEAVE: 003

Avery	Holand	Jackson
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Representative Riback Wilson (25) assumed the Chair.

SCS SB 767, relating to a memorial highway, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **SCS SB 767** was truly agreed to and finally passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell

Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Jackson Townley

Representative Riback Wilson (25) declared the bill passed.

SCS SB 757, with House Committee Amendment No. 1, relating to motor vehicles, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **House Committee Amendment No. 1** was adopted.

On motion of Representative Cooper (120), **SCS SB 757, as amended**, was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell

Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Jackson Liese

Representative Riback Wilson (25) declared the bill passed.

SCS SB 901, with House Committee Amendment No. 1, pending, relating to environmental control, was again taken up by Representative Townley.

On motion of Representative Townley, **House Committee Amendment No. 1** was adopted.

On motion of Representative Townley, **SCS SB 901, as amended**, was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough

Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hunter	Ice	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Hubbard	Jackson
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Representative Riback Wilson (25) declared the bill passed.

Speaker Hanaway resumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 1099, relating to a sales/use tax exemption, was taken up by Representative Reinhart.

On motion of Representative Reinhart, **HCS HB 1099** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell

Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bough	Jackson	Jones
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Speaker Hanaway declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 959, as amended, relating to financial services, was taken up by Representative Luetkemeyer.

Representative Luetkemeyer moved that the House refuse to adopt **SCS HCS HB 959, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILL

HB 1548, relating to state employees' pay, was taken up by Representative Deeken.

On motion of Representative Deeken, **HB 1548** was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Jackson	Johnson 47	Townley
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Speaker Hanaway declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1040 and HCS HB 1041, as amended, relating to education accountability, was taken up by Representative Cunningham (86).

Representative Cunningham (86) moved that the House refuse to adopt **SCS HCS HB 1040 and HCS HB 1041, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

SCS HCS HB 1040 and HCS HB 1041, as amended, with the motion refusing to adopt **SCS, as amended**, and requesting the Senate to recede or grant conference, pending, was laid over.

THIRD READING OF SENATE BILL

HCS SS SCS SB 1279, relating to the Missouri Hospital Infection Control Act, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS SS SCS SB 1279** was adopted.

On motion of Representative Schaaf, **HCS SS SCS SB 1279** was read the third time and passed by the following vote:

AYES: 156

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Walsh

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel
Jackson

Avery

Bringer

Hampton

Hubbard

Speaker Hanaway declared the bill passed.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

SPECIAL RECOGNITION

Robert Baker was introduced by Representative Stevenson and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2674

through

House Resolution No. 2679 - Representative Swinger

House Resolution No. 2680

and

House Resolution No. 2681 - Representative Ransdall

House Resolution No. 2682

and

House Resolution No. 2683 - Representative Yates

House Resolution No. 2684 - Representative Angst

House Resolution No. 2685 - Representative Wagner

House Resolution No. 2686 - Representative May

House Resolution No. 2687 - Representative Spreng

House Resolution No. 2688 - Representative Willoughby

House Resolution No. 2689 - Representative Pratt

House Resolution No. 2690

through

House Resolution No. 2693 - Representative Wagner

House Resolution No. 2694 - Representative Cooper (155)

House Resolution No. 2695 - Representative Lipke

House Resolution No. 2696 - Representative Hanaway

House Resolution No. 2697 - Representative Yaeger

House Resolution No. 2698 - Representatives Dusenberg and Pratt
House Resolution No. 2699 - Representative Swinger
House Resolution No. 2700
and
House Resolution No. 2701 - Representative Wagner
House Resolution No. 2702
and
House Resolution No. 2703 - Representative Quinn
House Resolution No. 2704
through
House Resolution No. 2713 - Representative Lager

Speaker Pro Tem Jetton assumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS#2 SB 762, relating to foster care, was taken up by Representative Hanaway.

Representative Hanaway offered **HS HCS SCS#2 SB 762**.

Representative Hanaway offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 26, Section 168.283, Lines 23 and 24 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"department of revenue under section 302.272, RSMo."; and

Further amend said bill, Page 40, Section 210.109, Line 15 of said page, by inserting after the word **"assessment."** the following:

"The division may attempt to seek input from child welfare service providers in completing the initial family assessment."; and

Further amend said bill, Page 42, Section 210.110, Line 17 of said page, by deleting all of said line and inserting in lieu thereof the following:

"public, quasi-public, or private entity with the"; and

Further amend said bill, Page 49, Section 210.112, Lines 20 and 21 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"shall only apply to contract arrangements and family reunification services."; and

Further amend said bill, Page 93, Section 210.482, Line 24 of said page, by deleting the words **"family support"** and inserting in lieu thereof the following:

"children's"; and

Further amend said bill, Page 94, Section 210.482, Line 1 of said page, by deleting the word "**applicant**" and inserting in lieu thereof the following:

"person with whom an emergency placement of a child will be made"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 1** was adopted.

Representative Fares offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 51, Section 210.112, Line 14 of said page, by inserting after all of said line the following:

"7. The division shall accept as prima facie evidence of completion of the requirements for licensure under sections 210.481 to 210.511 proof that an agency is accredited by any of the following nationally recognized bodies: the Council on Accreditation of Services, Children and Families, Inc.; the Joint Commission on Accreditation of Hospitals; or the Commission on Accreditation of Rehabilitation Facilities. The division shall not require any further evidence of qualification for licensure if such proof of voluntary accreditation is submitted." and renumber remaining subsections accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fares, **House Amendment No. 2** was adopted.

Representative Kelly (36) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 15, Section 43.530, Lines 10 to 16 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"43.530. 1. For each request requiring the payment of a fee received by the central repository, the requesting entity shall pay a fee of not more than five dollars per request for criminal history record information not based on a fingerprint search when the requesting entity is required to obtain such information by any provision of state or federal law and pay a fee of not more than fourteen dollars per request for criminal history record information based on a fingerprint search when the requesting entity is required to obtain such information by any provision of state or federal law; provided that, when the requesting entity is not required to obtain such information by law, the requesting entity shall pay a fee of not more than ten dollars per request for criminal history record information not based on a fingerprint search and pay a fee of not more than twenty dollars per request for criminal history record information based on a fingerprint search. Each such request shall be limited to check"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (36), **House Amendment No. 3** was adopted.

Representative Dougherty offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Section 167.020, Page 22, Line 17, by placing brackets around the words “twenty-one” on said line and inserting immediately thereafter the following:

“**eighteen**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 4** was adopted.

Representative Wright offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 112, Section 211.032, Lines 5-6, by deleting all of said lines and inserting in lieu thereof the following:

“4. Failure to hold and compute a protective custody hearing within the time specified in this section shall result in a dismissal of the case without prejudice by the court. If a case is dismissed without prejudice under this subsection, the division shall not retain custody of the child for more than twenty-four hours after such dismissal unless the case is refiled with the court within such twenty-four hour period.

5. By January 1, 2005 the supreme court shall develop rules regarding the effect of untimely hearings, except protective custody hearings.”; and

Further amend said bill, Section 211.032, by renumbering remaining subsections accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lipke assumed the Chair.

Representative Stevenson offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 112, Section 211.032, Lines 5-6, by deleting all of said lines and inserting in lieu thereof the following:

“4. Failure to hold and complete a protective custody hearing within the time specified in this section shall result in a dismissal of the case without prejudice by the court. If a case is dismissed without prejudice under this subsection, the division may retain custody of the child for up to twenty-four hours, and must release custody of the child unless the case is refiled within the twenty-four hours. In the event the case is refiled during the twenty-four hour period all time periods in this section shall re-start.”; and

Further amend said bill, Section 211.032, by renumbering remaining subsections accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted by the following vote:

AYES: 087

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Ice	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schlottach	Schneider
Selby	Self	Shoemaker	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 067

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Crawford	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Schoemehl	Seigfreid	Shoemyer	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Hilgemann	Holand	Jackson	Johnson 61
McKenna	Morris	Salva	Schaaf	

Speaker Pro Tem Jetton resumed the Chair.

Representative Skaggs offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 49, Section 210.112, Lines 15-21 of said page, by striking all of said lines and inserting in lieu thereof the following:

“contract. Contracts shall provide incentives in addition to the costs of services provided in recognition of exceeding the case goals and the corresponding cost savings to the state. The division shall not include payment for residential treatment services within the case rate in any contract for comprehensive services. The division shall promulgate rules to implement the provisions of this subdivision.”.

On motion of Representative Skaggs, **House Amendment No. 6** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 29, Section 191.748, Lines 1 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"191.748. Every hospital and any health care facility licensed in this state that provides obstetrical services shall offer to all new mothers an opportunity to view with the father and other persons of the mother's choosing a video on the dangers of shaking a baby and shaken baby syndrome before the mother's discharge from the facility. Such video shall be approved by the department of health and senior services."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Pratt offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

House Substitute Amendment No. 1 for House Amendment No. 7 was withdrawn.

Representative Pratt offered **House Substitute Amendment No. 2 for House Amendment No. 7.**

*House Substitute Amendment No. 2
for
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 29, Section 191.748, Lines 1 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"191.748. Every hospital and any health care facility licensed in this state that provides obstetrical services be required to show all new mothers shall offer to the father and other persons of the mother's choosing a video on the dangers of shaking a baby and shaken baby syndrome before the mother's discharge from the facility. Such video shall be approved by the department of health and senior services."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lipke resumed the Chair.

Representative Stevenson offered **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 7.**

Representative Johnson (90) raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 7** is not properly drafted.

Representative Lipke requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Stevenson offered **House Amendment No. 2 to House Substitute Amendment No. 2 for House Amendment No. 7.**

*House Amendment No. 2
to
House Substitute Amendment No. 2
for
House Amendment No. 7*

AMEND House Substitute Amendment No. 2 for House Amendment No. 7 for House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 1, Line 6, by inserting after the word “**services**” on said line the word “**shall**”.

Representative Stevenson moved that **House Amendment No. 2 to House Substitute Amendment No. 2 for House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Pratt moved that **House Substitute Amendment No. 2 for House Amendment No. 7** be adopted.

Which motion was defeated.

On motion of Representative Riback Wilson (25), **House Amendment No. 7** was adopted by the following vote:

AYES: 145

Abel	Angst	Baker	Barnitz	Bearden
Bishop	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green

Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Purgason
Ransdall	Reinhart	Richard	Roark	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Young	Zweifel	Madam Speaker

NOES: 015

Bean	Behnen	Bough	Cunningham 145	Dusenberg
Kelly 144	Pratt	Quinn	Rector	Ruestman
Shoemaker	St. Onge	Stevenson	Sutherland	Yates

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Jackson	Johnson 61
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Speaker Pro Tem Jetton resumed the Chair.

Representative Stevenson offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, Page 168, Section 1, Line 19, by inserting after all of said line the following:

“2. Nothing in this section shall prevent the division or the court from exercising its discretion to return a child or children to the custody of any individual.”; and

Further amend said section by renumbering the preceding subsection accordingly; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 8** was adopted.

Representative Fraser offered **House Amendment No. 9**.

Representative Pratt raised a point of order that **House Amendment No. 9** amends previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Hanaway, **HS HCS SCS#2 SB 762, as amended**, was adopted.

On motion of Representative Hanaway, **HS HCS SCS#2 SB 762, as amended**, was read the third time and passed by the following vote:

AYES: 127

Angst	Baker	Barnitz	Bean	Bearden
Bishop	Bivins	Black	Bough	Boykins
Brown	Bruns	Byrd	Campbell	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Guest	Hampton
Harris 110	Henke	Hobbs	Holand	Hubbard
Hunter	Ice	Jetton	Johnson 47	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 031

Abel	Bland	Bringer	Brooks	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Davis 122	Donnelly	El-Amin	Fraser	Graham
Green	Harris 23	Haywood	Hilgemann	Hoskins
Johnson 90	Meadows	Sager	Schoemehl	Skaggs
Swinger	Vogt	Walker	Witte	Yaeger
Zweifel				

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 004

Avery Behnen Jackson Johnson 61

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Brown	Bruns	Byrd	Campbell
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	Goodman
Guest	Hampton	Harris 110	Hobbs	Holand
Hubbard	Hunter	Ice	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
Le Vota	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Wagner	Wallace	Walton
Ward	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 035

Abel	Bland	Bringer	Brooks	Burnett
Carnahan	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Graham	Green	Haywood
Henke	Hilgemann	Hoskins	Johnson 90	Liese
Meadows	Muckler	Sager	Schoemehl	Skaggs
Swinger	Villa	Vogt	Walker	Walsh
Wildberger	Wilson 25	Witte	Yaeger	Zweifel

PRESENT: 003

George

Harris 23

Kuessner

ABSENT WITH LEAVE: 003

Avery

Jackson

Johnson 61

HCS SS SCS SB 960, relating to property tax reassessments, was taken up by Representative Cooper (120).

Representative Skaggs offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 960, Page 14, Section 137.115, Line 159, by inserting after said line the following:

“137.720. **1.** A percentage of all ad valorem property tax collections allocable to each taxing authority within the county and the county shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750. The percentage shall be one-half of one percent for all counties of the first and second classification and cities not within a county and one percent for counties of the third and fourth classification.

2. For counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-quarter of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred thousand dollars in any year for any county of the first classification and any county with a charter form of government and fifty thousand dollars in any year for any county of the second, third, or fourth classification.

3. The county shall bill any taxing authority collecting its own taxes. The county may also provide additional moneys for the fund. To be eligible for state cost-share funds provided pursuant to section 137.750, every county shall provide from the county general revenue fund, an amount equal to an average of the three most recent years of the amount provided from general revenue to the assessment fund, except that a lesser amount shall be acceptable if unanimously agreed upon by the county assessor, county governing body and the state tax commission. The county shall deposit the county general revenue funds in the assessment fund as agreed to in its original or amended maintenance plan, state reimbursement funds shall be withheld until the amount due is properly deposited in such fund.

4. Four years following the effective date, the state tax commission shall conduct a study to determine the impact of increased fees on assessed valuation.

5. Any increase to the portion of property tax collections deposited into the county assessment funds provided for in subsection 2 of this section shall be disallowed in any year in which the state tax commission certifies an equivalent sales ratio for the county of less than or equal to thirty-one and two-thirds percent pursuant to the provisions of section 138.395, RSMo.

6. The provisions of subsections 2, 4, and 5 of this section shall expire on December 31, 2009.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 1** was adopted.

On motion of Representative Cooper (120), **HCS SS SCS SB 960, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS SS SCS SB 960, as amended**, was read the third time and passed by the following vote:

AYES: 149

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Campbell	Carnahan	Cooper 120
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Icet	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

El-Amin	Hoskins	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 011

Abel	Avery	Byrd	Cooper 155	Green
Hunter	Jackson	Johnson 61	McKenna	Viebrock
Willoughby				

Speaker Pro Tem Jetton declared the bill passed.

SB 932, with House Amendment No. 3, and HS, as amended, pending, relating to unemployment compensation, was taken up by Representative Wilson (130).

SB 932, with House Amendment No. 3, and HS, as amended, pending, was laid over.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 1099, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SB 1099, as amended, relating to tax credits, was taken up by Representative Dempsey.

Representative Dempsey moved that the House refuse to recede from its position on **HS HCS SS SCS SB 1099, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

SB 932, with House Amendment No. 3, and HS, as amended, pending, relating to unemployment compensation, was again taken up by Representative Wilson (130).

On motion of Representative Cooper (155), **House Amendment No. 3** was adopted by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 064

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Hampton
Harris 110	Harris 23	Henke	Hilgemann	Hoskins
Hubbard	Johnson 90	Jolly	Jones	Kelly 36

Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Villa	Vogt	Wagner	Walker	Walsh
Walton	Whorton	Wildberger	Willoughby	Wilson 25
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Campbell	Crawford	Green
Haywood	Jackson	Johnson 61	Kratky	Marsh
Shoemaker	Thompson	Ward	Wilson 42	

Representative St. Onge offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for Senate Bill No. 932, Page 58, Line 18, by inserting at the end of said line the following:

“288.525. 1. There is hereby created a "Missouri State Unemployment Council" (the council). The council shall consist of nine appointed voting members and two appointed nonvoting members. All appointees shall be persons whose training and experience qualify them to deal with the problems of unemployment compensation, particularly legal, accounting, actuarial, economic, and social aspects of unemployment compensation.

2. (1) Three voting members shall be appointed to the council by the governor. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation.

(2) Three voting members and one nonvoting member shall be appointed to the council by the speaker of the house of representatives. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers that employ twenty or fewer employees. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the house of representatives.

(3) Three voting members and one nonvoting member shall be appointed to the council by the president pro tem of the senate. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the senate.

2. The council shall organize itself and select a chairperson or co-chairpersons and other officers from the nine voting members. Six voting members shall constitute a quorum and the council shall act only upon the affirmative vote of at least five of the voting members. The council shall meet no fewer than four times yearly. Members of the council shall serve without compensation, but are to be reimbursed the amount of actual expenses. Actual expenses shall be paid from the special employment security fund under section 288.310.

3. The division shall provide professional and clerical assistance as needed for regularly scheduled meetings.

4. Each nonvoting member shall serve for a term of four years or until he or she is no longer a member of the general assembly whichever occurs first. A nonvoting member's term shall be a maximum of four years. Each voting member shall serve for a term of three years. For the initial appointment, the governor-appointed employer representative, the speaker of the house-appointed employee representative, and the president pro tem

of the senate-appointed public interest representative shall serve an initial term of one year. For the initial appointment, the governor-appointed employee representative, the speaker of the house-appointed public interest representative, and the president pro tem of the senate-appointed employer representative shall serve an initial term of two years. At the end of a voting member's term he or she may be reappointed; however, he or she shall serve no more than two terms excluding the initial term for a maximum of eight years.

5. The council shall advise the division in carrying out the purposes of this chapter. The council shall submit annually by January fifteenth to the governor and the general assembly its recommendations regarding amendments of this chapter, the status of unemployment insurance, the projected maintenance of the solvency of unemployment insurance, and the adequacy of unemployment compensation.

6. The council shall present to the division every proposal of the council for changes in this chapter and shall seek the division's concurrence with the proposal. The division shall give careful consideration to every proposal submitted by the council for legislative or administrative action and shall review each legislative proposal for possible incorporation into department of labor and industrial relations recommendations.

7. The council shall have access to only the records of the division that are necessary for the administration of this chapter and to the reasonable services of the employees of the division. It may request the director or any of the employees appointed by the director or any employee subject to this chapter, to appear before it and to testify relative to the functioning of this chapter and to other relevant matters. The council may conduct research of its own, make and publish reports, and recommend to the division needed changes in this chapter or in the rules of the division as it considers necessary.

8. The council, unless prohibited by a concurrent resolution of the general assembly, shall be authorized to commission an outside study of the solvency, adequacy, and staffing and operational efficiency of the Missouri unemployment system. The study shall be conducted every five years, the first being conducted in fiscal year 2005. The study shall be funded subject to appropriation from the special employment security fund under section 288.310."

On motion of Representative St. Onge, **House Amendment No. 4** was adopted.

Representative Smith (118) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for Senate Bill No. 932, Section 288.060, Page 58, Line 18, by inserting after said line the following:

"288.190. 1. The director shall designate an impartial referee or referees to hear and decide disputed determinations, claims referred pursuant to subsection 2 of section 288.070, and petitions for reassessment. No employee of the division shall participate on behalf of the division in any case in which the division employee is an interested party.

2. The manner in which disputed determinations, referred claims, and petitions for reassessment shall be presented and the conduct of hearings shall be in accordance with regulations prescribed by the division for determining the rights of the parties, whether or not such regulations conform to common law or statutory rules of evidence and other technical rules of procedure. When the same or substantially similar evidence is relevant and material to the matters in issue in claims by more than one individual or in claims by a single individual in respect to two or more weeks of unemployment, the same time and place for considering each such claim or claims may be fixed, hearings thereon jointly conducted, a single record of the proceedings made, and evidence introduced with respect to one proceeding considered as introduced in the others, if in the judgment of the appeals tribunal or the commission having jurisdiction of the proceeding such consolidation would not be prejudicial to any party. A full and complete record shall be kept of all proceedings in connection with a disputed determination, referred claim, or petition for reassessment. The appeals tribunal shall include in the record and consider as evidence all records of the division that are material to the issues. All testimony at any hearing shall be recorded but need not be transcribed unless the matter is further appealed.

3. Unless an appeal on a disputed determination or referred claim is withdrawn, an appeals tribunal, after affording the parties reasonable opportunity for fair hearing, shall affirm, modify, or reverse the determination of the deputy, or shall remand the matter to the deputy with directions. In addition, in any case wherein the appellant, after having been duly notified of the date, time, and place of the hearing, shall fail to appear at such hearing, the appeals tribunal may enter an order dismissing the appeal. The director may transfer to another appeals tribunal the proceedings

on an appeal determination before an appeals tribunal. The parties shall be duly notified of an appeals tribunal's decision or order, together with its reason therefor, which shall be deemed to be the final decision or order of the division unless, within thirty days after the date of notification or mailing of such decision, further appeal is initiated pursuant to section 288.200; except that, within thirty days of either notification or mailing of the appeals tribunal's decision or order, the appeals tribunal, on its own motion, may reconsider any decision or order when it appears that such reconsideration is essential to the accomplishment of the object and purpose of this law.

4. Unless a petition for reassessment is withdrawn or is allowed without a hearing, the petitioners shall be given a reasonable opportunity for a fair hearing before an appeals tribunal upon each such petition. The appeals tribunal shall promptly notify the interested parties of its decision upon such petition together with its reason therefor. In addition, in any case wherein the appellant, after having been duly notified of the date, time, and place of the hearing, shall fail to appear at such hearing, the appeals tribunal may enter an order dismissing the appeal. In the absence of the filing of an application for review of such decision, the decision, whether it results in a reassessment or otherwise, shall become final thirty days after the date of notification or mailing thereof; except that, within thirty days of either notification or mailing of the appeals tribunal's decision or order, the appeals tribunal, on its own motion, may reconsider any decision or order when it appears that such reconsideration is essential to the accomplishment of the object and purposes of this law.

5. Any party subject to any decision of an appeals tribunal pursuant to this chapter has a right to counsel **and the right to designate a representative, including but not limited to, a certified public accountant, or human resource professional to represent the party at any hearing** and shall be notified prior to a hearing conducted pursuant to this chapter that a decision of the appeals tribunal is presumptively conclusive for the purposes of this chapter as provided in section 288.200.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) assumed the Chair.

On motion of Representative Smith (118), **House Amendment No. 5** was adopted.

Representative Dempsey offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for Senate Bill No. 932, Page 32, Section 287.140, Line 8, by deleting the word [may] and inserting in lieu thereof the word “**shall**”.

Speaker Hanaway resumed the Chair.

SB 932, with House Amendment No. 6, and HS, as amended, pending, was laid over.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SS SCS SB 1099: Representatives Dempsey, Cooper (120), Pearce, Curls and Hoskins.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 1096 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 1225**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 1229**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **SB 1323**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Job Creation and Economic Development, Chairman Dempsey reporting:

Madam Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 827**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 1007**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1240**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 700**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **SCS SB 987**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Local Government, to which was referred **SB 1296**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SS SS SCS SB 1122**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **SRB 1108**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Small Business, Chairman St. Onge reporting:

Madam Speaker: Your Committee on Small Business, to which was referred **SCS SB 1196**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **SCS SB 1336**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Committee on Tourism and Cultural Affairs, Chairman Marsh reporting:

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **SB 783**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **SS SCS SB 1034**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Tourism and Cultural Affairs, to which was referred **HB 1547**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 845**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SB 900**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 1262**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 798**, entitled:

An act to repeal section 488.429, RSMo, and to enact in lieu thereof one new section relating to civil case surcharges.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 826 and HCS HB 883**, entitled:

An act to amend chapters 227 and 234, RSMo, by adding thereto three new sections relating to memorial highways.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 833**, entitled:

An act to repeal sections 67.793, 67.799, 67.1706, and 67.1754, RSMo, and to enact in lieu thereof twelve new sections relating to the creation of exhibition center and recreational facility districts.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 833, Page 1, Section Title, Line 4-5, of said page by striking “the creation of exhibition center and recreational facility districts” and inserting in lieu thereof the following:

“counties”; and

Further amend said bill, Page 51, Section 67.2530, Line 7 of said page, by inserting after all of said line the following:

“144.757. 1. Any county or municipality, except municipalities within a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand may, by a majority vote of its governing body, impose a local use tax if a local sales tax is imposed as defined in section 32.085, RSMo, at a rate equal to the rate of the local sales tax in effect in such county or municipality; provided, however, that no ordinance or order enacted pursuant to sections 144.757 to 144.761 shall be effective unless the governing body of the county or municipality submits to the voters thereof at a municipal, county or state general, primary or special election [prior to August 7, 1996, or after December 31, 1996,] a proposal to authorize the governing body of the county or municipality to impose a local use tax pursuant to sections 144.757 to 144.761. Municipalities within a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand may, upon

voter approval received pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, impose a local use tax at the same rate as the local municipal sales tax with the revenues from all such municipal use taxes to be distributed pursuant to subsection 4 of section 94.890, RSMo. The municipality shall within thirty days of the approval of the use tax imposed pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section select one of the distribution options permitted in subsection 4 of section 94.890, RSMo, for distribution of all municipal use taxes.

2. (1) The ballot of submission, except for counties and municipalities described in subdivisions (2) and (3) of this subsection, shall contain substantially the following language:

Shall the (county or municipality's name) impose a local use tax at the same rate as the total local sales tax rate, currently (insert percent), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

(2) (a) The ballot of submission in a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

For the purposes of [preventing neighborhood decline, demolishing old deteriorating and vacant buildings, rehabilitating historic structures, cleaning polluted sites, promoting reinvestment in neighborhoods by creating the (name of county) Community Comeback Program; and for the purposes of] **economic development** and enhancing local government services[;], shall the county [governing body] be authorized to collect a local use tax equal to the total of the existing county sales tax rate of (insert tax rate), provided that if the county sales tax is repealed, reduced or raised by voter approval, the local use tax rate shall also be repealed, reduced or raised by the same voter action? [The Community Comeback Program] **Fifty percent of the revenue shall be used for economic development, including retention, creation, and attraction of better paying jobs, and fifty percent shall be used for enhancing local government services. The county** shall be required to [submit] **make available** to the public [a] **an audited** comprehensive financial report detailing the management and use of **economic development** funds each year.

A use tax is the equivalent of a sales tax on purchases from out-of-state sellers by in-state buyers and on certain taxable business transactions. A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

(b) The ballot of submission in a municipality within a county [of the first classification] having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

Shall the municipality be authorized to impose a local use tax at the same rate as the local sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

(3) The ballot of submission in any city not within a county shall contain substantially the following language:

Shall the (city name) impose a local use tax at the same rate as the local sales tax, currently at a rate of (insert percent) which includes the capital improvements sales tax and the transportation tax, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

(4) If any of such ballots are submitted on August 6, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect October 1, 1996, provided the director of revenue receives notice of adoption of the local use tax on or before August 16, 1996. If any of such ballots are submitted after December 31, 1996, and if a majority of the

votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the calendar quarter which begins at least forty-five days after the director of revenue receives notice of adoption of the local use tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall have no power to impose the local use tax as herein authorized unless and until the governing body of the county or municipality shall again have submitted another proposal to authorize the governing body of the county or municipality to impose the local use tax [pursuant to sections 144.757 to 144.761] and such proposal is approved by a majority of the qualified voters voting thereon.

3. The local use tax may be imposed at the same rate as the local sales tax then currently in effect in the county or municipality upon all transactions which are subject to the taxes imposed pursuant to sections 144.600 to 144.745 within the county or municipality adopting such tax; provided, however, that if any local sales tax is repealed or the rate thereof is reduced or raised by voter approval, the local use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the local sales tax.

4. For purposes of sections 144.757 to 144.761 [and sections 67.478 to 67.493, RSMo], the use tax may be referred to or described as the equivalent of a sales tax on purchases made from out-of-state sellers by in-state buyers and on certain intrabusiness transactions. Such a description shall not change the classification, form or subject of the use tax or the manner in which it is collected.

144.759. 1. All local use taxes collected by the director of revenue pursuant to sections 144.757 to 144.761 on behalf of any county or municipality, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a local use tax trust fund, which fund shall be separate and apart from the local sales tax trust funds. The moneys in such local use tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county or municipality imposing a local use tax, and the records shall be open to the inspection of officers of the county or municipality and to the public. No later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month, except as provided in subsection 2 of this section, to the county or municipality treasurer, or such other officer as may be designated by the county or municipality ordinance or order, of each county or municipality imposing the tax authorized by sections 144.757 to 144.761, the sum due the county or municipality as certified by the director of revenue.

2. The director of revenue shall distribute all moneys which would be due any county [of the first classification] having a charter form of government and having a population of nine hundred thousand or more to the county treasurer or such other officer as may be designated by county ordinance, who shall distribute such moneys as follows: the portion of the use tax imposed by the county which equals one-half the rate of sales tax in effect for such county shall be disbursed to the county [community comeback trust authorized pursuant to sections 67.478 to 67.493, RSMo] **treasurer for expenditure for economic development purposes, as defined in this section, subject to any qualifications and regulations adopted by ordinance of the county. Such ordinance shall require an audited comprehensive financial report detailing the management and use of economic development funds each year. Such ordinance shall require that the county and the municipal league of the county jointly prepare an economic development strategy to guide expenditures of funds and conduct an annual review of the strategy.** The treasurer or such other officer as may be designated by county ordinance shall distribute one-third of the balance to the county and to each city, town and village in group B according to section 66.620, RSMo, as modified by this section, a portion of the **two-thirds** remainder of such balance equal to the percentage ratio that the population of each such city, town or village bears to the total population of all such group B cities, towns and villages. For the purposes of this subsection, population shall be determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purposes of this subsection, each city, town or village in group A according to section 66.620, RSMo, but whose per capita sales tax receipts during the preceding calendar year pursuant to sections 66.600 to 66.630, RSMo, were less than the per capita countywide average of all sales tax receipts during the preceding calendar year, shall be treated as a group B city, town or village until the per capita amount distributed to such city, town or village equals the difference between the per capita sales tax receipts during the preceding calendar year and the per capita countywide average of all sales tax receipts during the preceding calendar year.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties or municipalities. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two

percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

4. Except as modified in sections 144.757 to 144.761, all provisions of sections 32.085 and 32.087, RSMo, applicable to the local sales tax, except for subsection 12 of section 32.087, RSMo, and all provisions of sections 144.600 to 144.745 shall apply to the tax imposed pursuant to sections 144.757 to 144.761, and the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax.

5. As used in this section, “economic development” means:

(1) Expenditures for infrastructure and sites for business development or for public infrastructure projects;

(2) Purchase, assembly, clearance, demolition, environmental remediation, planning, redesign, reconstruction, rehabilitation, construction, modification or expansion of land, structures and facilities, public or private, either in connection with a reinvestment project in areas with underused, derelict, economically challenged, or environmentally troubled sites, or in connection with business attraction, retention, creation, or expansion;

(3) Expenditures related to business district activities such as facade improvements, landscaping, street lighting, sidewalk construction, trash receptacles, park benches, and other public improvements;

(4) Expenditures for the provision of workforce training and educational support in connection with job creation, retention, attraction, and expansion;

(5) Development and operation of business incubator facilities, and related entrepreneurship support programs;

(6) Capitalization or guarantee of small business loan or equity funds;

(7) Expenditures for business development activities including attraction, creation, retention, and expansion; and

(8) Related administration expenses of economic and community development programs, provided that such expenses shall not exceed five percent of annual revenues.

644.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax, **provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, RSMo, when imposed by any county with a charter form of government and with more than one million inhabitants.**

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control

or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220, RSMo.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.

[67.478. Sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493 shall be known and may be cited as the “Community Comeback Act”.]

[67.481. As used in sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493, the following terms mean:

(1) “Community comeback plan” and “plan”, a comprehensive countywide plan adopted by the community comeback trust board and the governing body of the county that identifies potential areas for reinvestment, projects and strategies to promote neighborhood reinvestment throughout the county, and that clearly identifies on a map the priority comeback communities. The plan shall be a five-year strategic and operating plan, complete with goals, objectives, targets and mechanisms or methods of measuring accomplishments, revised annually;

(2) “Community comeback program”, “community comeback trust” and “trust”, a fund held in the treasury of the county which shall be the repository for all taxes and other moneys raised pursuant to sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493, and authorized by the governing body of the county for the purposes of promoting neighborhood reinvestment;

(3) “Community comeback program board”, “community comeback trust board” and “board”, the entity established pursuant to sections 67.478 to 67.493 that is responsible for administering the comeback community trust;

(4) “Community comeback trust citizen advisory committee” and “advisory committee”, an eleven-member committee established pursuant to sections 67.478 to 67.493 that is responsible for advising the community comeback fund board on the best methods of promoting neighborhood reinvestment;

(5) “Eligible expenses”, costs qualified for funding through the community comeback trust which are:

(a) Incurred for the purchase, assembly, clearance, demolition and environmental remediation of land, structures and facilities, public or private, either as part of a neighborhood reinvestment project or to prepare sites for future use in areas with underutilized, derelict, economically challenged or environmentally troubled sites;

(b) Related to planning, redesign, clearance, reconstruction, structure rehabilitation, site remediation, construction, modification, expansion, remodeling, structural alteration, replacement or renovation of any structure in a priority comeback community;

(c) Expended for capital improvements or infrastructure improvements to facilitate economic development;

(d) Expended for residential redevelopment including, but not limited to, buyouts, land-assembly costs, infrastructure improvements and costs associated with preparing sites for housing construction; professional service expenses such as architectural, planning, engineering, design, marketing or other related expenses;

(e) Related to community improvement district or special business district expenses such as facade improvements, landscaping, street lighting, sidewalk construction, trash receptacles, park benches and other public improvements;

(f) Expenses related to facilitating transit-oriented developments, home improvement and home buyer loan programs; and

(g) Expenses eligible for funding through the select neighborhood action program;

(6) “Neighborhood reinvestment project” and “project”, the planning, development, redesign, clearance, reconstruction or rehabilitation or any combination thereof in order to improve those residential, commercial, industrial, public or other structures or spaces and the infrastructure serving them as may be appropriate or necessary in the interest of the general welfare;

(7) “Petition”, a petitioner's request for funding made to the community comeback trust;

(8) “Petitioner”, the governing body of any municipality, the governing body of the county, any land clearance for redevelopment authority within the county organized pursuant to chapter 99, RSMo, or any not-for-profit economic development organization with a governing board not less than two-thirds of the members of which are appointed by the chief elected official of the county or by one or more organizations with governing boards appointed by the chief elected official;

(9) “Priority comeback community”, an area in a county which encompasses an entire United States census block group and has a median household income below the median household income for such entire county;

(10) “Priority comeback project”, a funding proposal submitted to a community comeback trust by a petitioner whose area is substantially within a priority comeback community;

(11) "Proposal", a petitioner's funding request for the eligible expenses of a neighborhood reinvestment project submitted to a trust by a petitioner;

(12) "Select neighborhood action program" and "SNAP", a grant program, administered and funded pursuant to subsection 5 of section 67.490;

(13) "Select neighborhood action program applicant" and "SNAP applicant", a neighborhood organization or not-for-profit organization whose mission is consistent with the community comeback plan. The organization shall have a municipal sponsor or a county sponsor if the area is unincorporated. The organization shall have been in existence for at least six months and meet at least once a year in order to be eligible for a SNAP grant;

(14) "SNAP grant", an endowment of money by the board to a SNAP applicant pursuant to subsection 5 of section 67.490.]

[67.484. 1. A community comeback trust may be created, incorporated and managed pursuant to this section by any county of the first classification with a charter form of government and a population of at least nine hundred thousand inhabitants according to the last decennial census, and may exercise the powers given to such trust pursuant to sections 67.478 to 67.493. A trust may sue and be sued, issue general revenue bonds and receive county use tax revenue pursuant to the limitations of this section. A trust shall have as its primary duties the prevention of neighborhood decline, the demolition of old deteriorating and vacant buildings, rehabilitating historic structures, the cleaning of polluted sites and the promotion of neighborhood reinvestment where such investment is essential to reverse or stabilize a stagnant or declining pattern in household income, assessed values, occupancies and related characteristics.

2. The governing body of the county is hereby authorized to impose by ordinance a local use tax pursuant to sections 144.757 to 144.761, RSMo, for the purpose of funding the creation, operation and maintenance of a community comeback trust, as well as to provide revenue to the county and municipalities authorized to receive moneys generated by said tax pursuant to section 144.759, RSMo. The governing body of the county enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The question shall be submitted to the voters in the county pursuant to section 144.757, RSMo.

3. (1) The community comeback trust board shall be composed of seven members as provided in this subsection. No member shall be an elected official, employee or contractor of the county or any municipality within the county or of any organization representing the county or any municipality within the county. Board members shall be citizens of the United States and shall reside within the county. No two members of the board shall be residents of the same county council district of such county. No member shall receive compensation for performance of board duties. No member shall be financially interested directly or indirectly in any contract entered into by the trust or by any petitioner. In the event that any property owned by a board member or the immediate family member of such board member is located in a priority comeback community, the member shall disclose such information to the board and abstain from any formal or informal actions regarding any project in that neighborhood.

(2) The chief elected official of any municipality wholly within the county and any member of the governing body of the county shall nominate individuals to serve on the board by providing a list of nominees to the county executive who shall appoint the members. Of the total members, at least four shall be residents of municipalities within the county and at least one shall have each of the following professions: a professional architect or engineer; an urban planner or design professional; a developer or builder; and an accountant or an attorney.

(3) The seat of a member shall be automatically vacated when the member changes his or her residence so as to no longer conform to the terms of the requirements of the member's appointment. The board shall promptly notify the county executive of such a change of residence, the pending expiration of any member's term, any member's need to vacate his or her seat or any vacancy on the board. A member whose term has expired shall continue to serve until the successor is appointed and qualified.

(4) Upon the passage of an ordinance by the governing body of the county establishing the community comeback trust, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected officials of each municipality wholly in the county.

(5) Each of the nominating authorities described in subdivision (2) of this subsection shall, within forty-five days of the passage of the ordinance establishing the board or within fourteen days of being notified of a board vacancy by the county executive, submit its list of nominees to the county executive. The county executive shall appoint members within sixty days of the passage of the ordinance or within thirty days of being notified by the board of a vacancy on the board. If a list of nominees is not submitted by the time specified, the county executive shall appoint the members using the criteria set forth in this section.

(6) At the first meeting of the board appointed after the effective date of the ordinance, the members shall choose by lot the length of their terms. Three shall serve for one year, two for two years, and two for three years. All

succeeding members shall serve terms of three years. Terms shall end on December thirty-first of the respective year. No member shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

4. The board, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements for open meetings and records pursuant to chapter 610, RSMo. The board shall enact and adopt all rules, regulations and procedures that are reasonably necessary to achieve the objectives of sections 67.478 to 67.493, and not inconsistent therewith, no sooner than twenty-seven calendar days after notifying all municipalities and the county of the proposed rule, regulation or procedure enactment or change. Notice may be given by ordinary mail, by electronic mail or by publishing in at least one newspaper of general circulation qualified to publish legal notices. No new or amended rule, regulation or procedure shall apply retroactively to any proposal pending before the trust without the agreement of the petitioner. The board shall have the exclusive control of the expenditures of all money collected to the credit of the trust, subject to annual appropriations by the governing body of the county. The county government shall provide the trust staff. No more than five percent of the trust's annual budget shall be used for the trust's annual administrative expenses.

5. The trust is authorized to issue bonds, notes or other obligations for any proposal, and to refund such bonds, notes or obligations, as provided in subsection 3 of this section; and to receive and liquidate property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district. The trust shall not have any power of eminent domain.

6. (1) Bonds issued pursuant to this section shall be issued pursuant to a resolution adopted by five-sevenths of the board which shall set out the estimated cost to the trust of the proposed improvements, and shall further set out the amount of the bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection with such bonds. Any such bonds may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(2) Notwithstanding the provisions of section 108.170, RSMo, such bonds shall bear interest at rate or rates determined by the trust, shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of such bonds. Bonds issued by the trust shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

(3) Such bonds may be payable to the bearer, may be registered or coupon bonds, and, if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing such bonds, which resolution may also provide for the exchange of registered and coupon bonds. Such bonds and any coupons attached thereto shall be signed in such manner and by such officers of the district as may be provided by the resolution authorizing the bonds. The trust may provide for the replacement of any bond which has become mutilated, destroyed or lost.

(4) Bonds issued by the trust shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the trust fund, including revenues derived from use taxes. Neither the board members nor any person executing the bonds shall be personally liable on such bonds by reason of the issuance of such bonds. Bonds issued pursuant to this section shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any such obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the trust. The issuance of bonds pursuant to this section shall not directly, indirectly or contingently obligate this state or any political subdivision of this state to levy any form of taxation for such bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section shall contain on its face a statement to the effect that the trust shall not be obligated to pay such bond nor interest on such bond except from the revenues received by the trust or assets of the trust lawfully pledged for such trust, and that neither the faith or credit nor the taxing power of this state or of any political subdivision of this state is pledged to the payment of the principal of or the interest on such obligation or bond. The proceeds of such bonds shall be disbursed in such manner and pursuant to such restrictions as the trust may provide in the resolution authorizing the issuance of such bonds.

(5) The trust may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of such bonds then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities or land to be acquired, leased or subleased by the trust, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on such bonds to the date of such refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of such refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

(6) In the event that any of the members or officers of the trust whose names appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of such bonds, such signatures shall remain valid and sufficient for all purposes, the same as if such board members or officers had remained in office until such delivery.

(7) The trust is hereby declared to be performing a public function and bonds of the trust are declared to be issued for an essential public and governmental purpose, and, accordingly, interest on such bonds and income from such bonds shall be exempt from income taxation by this state. All purchases in excess of ten thousand dollars shall be made pursuant to the lowest and best bid standard as provided in section 34.040, RSMo, or pursuant to the lowest and best proposal standard as provided in section 34.042, RSMo. The board of the trust shall have the same discretion, powers and duties as the commissioner of administration has in sections 34.040 and 34.042, RSMo.]

[67.487. 1. Within fourteen days of the first meeting of the first board appointed following the effective date of the ordinance, the board shall notify by mail the chief elected officials of all municipalities wholly within the county, the chief elected official of the county and all the members of the governing body of the county of the requirement to conduct a planning process and adopt a community comeback plan.

2. The board shall solicit full citizen, county and municipal involvement in developing the plan. The board shall conduct public hearings throughout the county to seek input regarding the plan, and may convene meetings with the appropriate staff of the county and municipalities in order to seek input and to coordinate the logistics of producing the plan. A copy of the plan shall be sent to the chief elected official of every municipality wholly within the county, the chief elected official of the county and each member of the governing body of the county.

3. The board and the governing body of the county shall annually revise and adopt a plan.

4. Each plan shall include a map of the county, as well as a text enumerating the efforts expected each year in the various subregions of the county. Each plan shall address the factors that are causing or are likely to cause one or more of the following:

- (1) Assessed values below the county average;
- (2) Median household incomes below the county median;
- (3) An unemployment rate above the county average;
- (4) A reduction in the number of jobs with an emphasis upon those jobs paying average or above-average salaries;
- (5) Failure to keep pace with the average growth rate in home values in the metropolitan area or county; and
- (6) A high vacancy rate among residential, commercial and industrial properties.

5. Each plan shall include an analysis of the condition of the housing stock in the various subregions of the county, a market analysis of the home-buying market with a focus on the impediments to attracting home buyers to those subregions and an analysis of the physical infrastructure needs that prevent economic growth.

6. The board may consider the following factors when determining the appropriate areas and strategies for investment:

- (1) Buildings that are unsafe or unhealthy for occupancy due to code violations, dilapidation, defective design, faulty utilities or any other negative conditions;
- (2) Factors that prevent or substantially hinder the economically viable use of buildings or lots, such as substandard design, inadequate size, lack of parking or any other conditions;
- (3) Incompatible uses that prevent economic development;
- (4) Subdivided lots of irregular form and shape and inadequate size for proper usefulness that have multiple ownership;
- (5) Depreciated or stagnant property values, including properties that contain hazardous wastes;
- (6) Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area developed for urban use and served by utilities;
- (7) The existence of conditions that are not conducive to public safety; and
- (8) The lack of necessary commercial facilities normally found in neighborhoods.

7. Each plan shall outline specific strategies to address the problems facing the various subregions and neighborhoods within the county. The plan shall also discuss the partnerships that can be made with federal, state and local governments, as well as businesses, labor organizations, nonprofit groups, religious and other groups and citizens to help implement the plan. These strategies shall include estimated costs and time lines for completion.

8. The board shall produce an annual report focusing on the accomplishments of the trust relative to the goals set forth in the plan, the goals for the next year and the challenges facing the trust. The annual report shall be given to the chief elected officials of all the municipalities wholly within the county, the chief elected official of the county, the

members of the governing board of the county and the public libraries within the county, and shall be posted on the county Internet web site.

9. Every year, the board shall commission an independent financial audit, the report of which shall be distributed in the same manner as the annual report pursuant to subsection 8 of this section.

10. Every five years, the board shall commission an independent management audit. The management audit shall include a comprehensive analysis of development trends, factors and practices along with specific recommendations to improve the trust's ability to achieve its mission. The management audit shall be reviewed by the advisory committee which may offer constructive advice on enhancing practices in order to achieve the goals of the program. The management audit shall be distributed in the same manner as the annual report pursuant to subsection 8 of this section. The board is authorized to take any necessary and proper steps to address the issues and recommendations contained within the management audit.

11. (1) The board shall establish an eleven-member advisory committee that shall meet four times each year and shall advise petitioners, staff and the board. The advisory committee members shall be appointed by the county executive. At least six of the advisory committee's members shall be nominated by the municipal league within the county and at least three shall be nominated by the members of the governing body of the county. No advisory committee member shall receive compensation for performance of duties as a committee member.

(2) At least one of the advisory committee members shall be a university professor well-versed in regional development issues. At least two of the advisory committee members shall be municipal officials from communities that have undertaken redevelopment programs as part of larger planning efforts. At least one of the advisory committee members shall be an attorney with experience in redevelopment activities. At least two of the advisory committee members shall be residents of priority comeback communities who have been active in advocating effective redevelopment policies. At least one of the advisory committee members shall be a private professional familiar with the factors influencing business location decisions. At least one of the advisory committee members shall be an individual familiar with education and training practices and workforce needs, with an understanding of how labor availability impacts business location decisions. At least one of the advisory committee members shall be a planner from the private sector knowledgeable in the area of strategic planning and the principles of multiyear rolling plans.

(3) The advisory committee shall promptly notify the county executive of the pending expiration of any member's term or any vacancy on the advisory committee. A member whose term has expired shall continue to serve until his or her successor is appointed and qualified.

(4) The board shall establish the advisory committee by resolution at the board's first meeting. The board shall, within ten days of the passage of the resolution establishing the advisory committee, send by United States mail written notice of the passage of the resolution to the county's municipal league and the members of the governing body of the county. The municipal league and the members of the governing board of the county shall, within forty-five days of the passage of the resolution establishing the advisory committee or within fourteen days of being notified of a vacancy by the county executive, submit its list of nominees to the county executive. The county executive shall appoint members within sixty days of the passage of the resolution or within thirty days of being notified by the committee of a vacancy on the advisory committee. If a list of nominees is not submitted by the time specified, the county executive shall appoint the members using the criteria set forth in this section before the sixtieth day from the passage of the resolution or before the thirtieth day from being notified of a vacancy on the existing advisory committee.

(5) At the advisory committee's first meeting, the members shall choose by lot the length of their terms. Two shall serve for one year, three for two years, three for three years and three for four years. All succeeding committee members shall serve for four years. Terms shall end on December thirty-first of the respective year.

(6) The committee members shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements for open meetings and records pursuant to chapter 610, RSMo.]

[67.490. 1. The board shall in a timely manner adopt rules setting forth basic guidelines for acceptance and evaluation of petitions, including a common understandable format, as well as appropriate supporting material, maps, plans and data. The board shall begin to accept petitions one month after the adoption of the plan by the governing body of the county pursuant to section 67.487. The board shall review all petitions submitted by any petitioner. Review shall begin no later than thirty days after submission of the petition to the commission. In order to qualify as a proposal, a petition shall address the criteria set forth in subsection 4 of this section. For the purposes of this subsection, the term "pending" means any proposal submitted to the board which has not yet been approved by the board.

2. When practical, a petition shall be initially submitted to the advisory committee for constructive review and comment in a manner likely to result in a proposal that addresses a strategy outlined in the plan.

3. The board shall hold a public hearing concerning the petition, which may be on the same day as a scheduled meeting of the board.

4. (1) In reviewing any petition for funding, the board shall first determine if funds are sought for eligible expenses for a neighborhood reinvestment project. If the petition seeks such funds, the board shall certify such petition as a proposal subject to further review unless the board finds that the petition seeks funds for expenses that do not qualify as eligible expenses, or seeks funds for an endeavor other than a neighborhood reinvestment project. If the board finds that funds are sought for ineligible expenses or for an ineligible endeavor, the board need not take any further action and shall notify the petitioner in writing of all deficiencies that prevent the petition from being a proposal. If the board determines that there is a minor error or discrepancy in a petition, the board, with the petitioner's concurrence, may make such changes to the petition as are necessary to rectify the error that prevents the petition from being certified as a proposal subject to further review. Within six months of certification of a petition as a proposal, the board shall issue a finding approving or disapproving such proposal. In disapproving any proposal, the board shall issue a document indicating the reasons that the proposal was disapproved.

(2) If the board determines that a proposal is a priority comeback project consistent with the strategies and priorities set forth in the community comeback plan and that the project is well-planned, realistic, creative, resourceful, benefits the local community and is cost-effective, then the board shall award funding. If the board determines that a proposal is a priority comeback project, but is inconsistent with the strategies and priorities in the community comeback plan, the board may award funding if it finds that the project is well-planned, realistic, creative, resourceful, benefits the local community, is cost-effective and addresses the reinvestment needs of neighborhoods by one or more of the following:

- (a) Reducing or removing impediments to attracting home buyers;
- (b) Providing the necessary physical infrastructure needed to promote significant job growth;
- (c) Reducing or removing any such factor or factors that constitute an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.

(3) If the board determines that a proposal, which is not a priority comeback project, is consistent with the strategies and priorities set forth in the community comeback plan and is well-planned, realistic, creative, resourceful, benefits the local community and is cost-effective, the board may award funding if the board adds such proposal to the plan. If the board determines that a proposal, which is not a priority comeback project, is inconsistent with the strategies and priorities in the community comeback plan, the board may award funding if it finds that the project is well-planned, realistic, creative, resourceful, benefits the local community, is cost-effective and addresses the reinvestment needs of neighborhoods by one or more of the following:

- (a) Reducing or removing impediments to attracting home buyers;
- (b) Providing the necessary physical infrastructure needed to promote significant job growth;
- (c) Reducing or removing any such factor or factors that constitute an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use.

(4) The board, the advisory committee and the staff of both may advise petitioners on issues related to petitions or proposals. The board may meet informally, subject to the requirements of chapter 610, RSMo, with representatives of potential petitioners with regard to future petitions and plans.

5. The board shall establish a select neighborhood action program. SNAP applicants shall provide a ten-percent cash or in-kind match to be eligible for a SNAP grant. Project categories eligible for SNAP grant funding shall be:

(1) Neighborhood beautification projects which enhance the appearance of the overall neighborhood. Such projects include, but are not limited to, tree and flower plantings, cleanups, entranceway landscaping, community gardens, public art and neighborhood identification signs/banners;

(2) Neighborhood organization or capacity projects which create or increase membership in a neighborhood organization promoting community betterment. Such projects include, but are not limited to, neighborhood newsletters, neighborhood marketing brochures, neighborhood meetings and special events, and technology such as web site development;

(3) Neighborhood-school partnership projects which benefit a school and the adjacent neighborhood. Involvement of both the school and the neighborhood in planning, implementation and maintenance must be substantiated. Partnership projects include, but are not limited to, youth and community programs that promote safety, culture or the environment and that are beneficial to both the school and the neighborhood;

(4) Capital purchase projects which include the acquisition of equipment or property. Such projects include, but are not limited to, land acquisition, playground equipment, bicycle racks and major supplies;

(5) Neighborhood improvement projects which benefit the local infrastructure in a neighborhood, and include construction of sidewalks or installation of streetlights.

6. Project categories ineligible for SNAP grant funding shall be:

- (1) Projects accomplished in more than twelve months;

- (2) Projects that duplicate existing private or public programs;
- (3) Projects that require ongoing services, or requests to support continual operating budgets; and
- (4) Projects that conflict with the community comeback plan.

7. When making SNAP grant funding decisions, the board shall consider the level of neighborhood participation including the percentage of residents who are involved in planning and implementing the idea, the diversity of parties involved or that will benefit, and the amount of neighborhood opposition; the community benefit of the project, including the number of people who will benefit from the project and the overall quality of the project.]

[67.493. Of the funds available to the trust, a minimum of five percent of the funds, not to exceed an unallocated balance of five hundred thousand dollars rolled over from the previous fiscal year, shall be set aside annually for the SNAP grant program. Of the remaining funds seventy- five percent calculated on a rolling three-year average shall be set aside for priority comeback projects. The balance of the funds shall be used to indirectly or directly benefit priority comeback communities or residents of those areas by utilizing such funds to:

(1) Promote job preparation and job creation in areas easily accessed by residents of priority comeback communities;

(2) Improve neighborhoods adjacent to priority comeback communities that are unlikely to be improved without such funding; and

(3) Abate through low-interest home improvement loan programs or similar mechanisms the functional or marketable obsolescence of any owner- occupied residential structure over twenty-five years old which is located within a census block group below one hundred ten percent of the median income level for the metropolitan statistical area for this state; provided that, there is a significant threat of economic decline within the area without intervention by the trust.]; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 928, HCS HB 1123 and HCS HB 1280**, entitled:

An act to repeal sections 301.041, 301.2999, 302.178, 390.136, 390.340, 622.095, and 622.618, RSMo, and to enact in lieu thereof five new sections relating to motor vehicles, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 928 and House Committee Substitute for House Bill No. 1123 and House Committee Substitute for House Bill No. 1280, Page 5, Section 301.2999, Line 32, by inserting immediately after the word "and" the following:

"the organization".

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 960**, entitled:

An act to amend chapters 227 and 234, RSMo, by adding thereto four new sections relating to memorial highways.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 996, HB 1142, HCS HB 1201 and HB 1489**, entitled:

An act to repeal sections 301.010, 304.013, 304.156, 307.172, 307.366, 307.375, and 643.315, RSMo, and to enact in lieu thereof eight new sections relating to motor vehicles, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 996 and House Bill No. 1142 and House Committee Substitute for House Bill No. 1201 and House Bill No. 1489, Page 16, Section 304.156, Line 141, by inserting after "days" the following:

"after the notice is sent pursuant to this subsection"; and

Further amend Line 145, by inserting after "days" the following:

"after the notice is sent pursuant to this subsection"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HBs 998 & 905**, entitled:

An act to amend chapter 700, RSMo, by adding thereto one new section relating to manufactured homes, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1029, HB 1438 and HB 1610**, entitled:

An act to amend chapter 227, RSMo, by adding thereto four new sections relating to the designation of certain memorial highways.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 1074 & 1129**, entitled:

An act to amend chapter 574, RSMo, by adding thereto one new section relating to the burning of crosses, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1177**, entitled:

An act to repeal sections 640.700, 640.703, 640.710, 640.715, 640.725, 640.730, 640.735, 640.745, 640.750, and 644.016, RSMo, and to enact in lieu thereof nine new sections relating to concentrated animal feeding operations.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Substitute Amendment No. 1 for Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 9, Section 640.750, Line 3, by inserting immediately after said line the following:

“640.755. 1. No rule or portion of a rule promulgated under the authority of sections [640.700] **640.703** to 640.755 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

2. Sections 640.700 to 640.755 shall be administered by the clean water commission pursuant to the provisions and requirements of chapter 644, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 6, Section 640.715, Line 21, by striking the word “processing” and inserting in lieu thereof the following:

“**approving**”.

*Senate Substitute Amendment No. 1
for*

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 3, Section 640.710, Line 1, by striking “clean water commission shall have the”; and

Further amend said page and section, Lines 2-4, by striking all of said lines and inserting in lieu thereof the following: “**clean water commission**”; and

Further amend said page and section, Line 9, by striking “class I”; and further amend said line by inserting immediately after the word “operations” the following:

“**in accordance with the Missouri clean water law, sections 644.006 to 644.141,RSMo.**”.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 6, Section 640.715, Line 33, by inserting immediately after "facility]" the following:

"**class IA**".

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 9, Section 644.016, Lines 20-28, by striking all of the bold-faced language from said lines; and

Further amend said bill, Page 12, Section 644.016, Line 119, by inserting immediately after said line the following:

“644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. Every proposed water contaminant or point source which, when constructed or installed or established, will be subject to any federal water pollution control act or sections 644.006 to 644.141 or regulations promulgated pursuant to the provisions of such act shall make application to the director for a permit at least thirty days prior to the initiation of construction or installation or establishment. Every water contaminant or point source in existence when regulations or sections 644.006 to 644.141 become effective shall make application to the director for a permit within sixty days after the regulations or sections 644.006 to 644.141 become effective, whichever shall be earlier. The director shall promptly investigate each application, which investigation shall include such hearings and notice, and consideration of such comments and recommendations as required by sections 644.006 to 644.141 and any federal water pollution control act. **Notwithstanding the provisions of subsections 1 and 2 of this section to the contrary, notices of violation shall not be issued for an accidental or unintentional release of water contaminants where the water contaminants are entirely confined upon lands owned, leased, or otherwise controlled by a single person, or by two or more persons jointly or as tenants in common, and where the released water contaminants are removed, cleaned up, or remediated to the extent that any flow of water that leaves the property and enters the waters of the state does not exceed any of the standards, regulations, or limitations set forth in sections 644.006 to 644.141.** If the director determines that the source meets or will meet the requirements of sections 644.006 to 644.141 and the regulations promulgated pursuant thereto, the director shall issue a permit with such conditions as he or she deems necessary to ensure that the source will meet the requirements of sections 644.006 to 644.141 and any federal water pollution control act as it applies to sources in this state. If the director determines that the source does not meet or will not meet the requirements of either act and the regulations pursuant thereto, the director shall deny the permit pursuant to the applicable act and issue any notices required by sections 644.006 to 644.141 and any federal water pollution control act.

4. Before issuing a permit to build or enlarge a water contaminant or point source or reissuing any permit, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule. Prior to the development or renewal of a general permit or

permit by rule, for aquaculture, the director shall convene a meeting or meetings of permit holders and applicants to evaluate the impacts of permits and to discuss any terms and conditions that may be necessary to protect waters of the state. Following the discussions, the director shall finalize a draft permit that considers the comments of the meeting participants and post the draft permit on notice for public comment. The director shall concurrently post with the draft permit an explanation of the draft permit and shall identify types of facilities which are subject to the permit conditions. Affected public or applicants for new general permits, renewed general permits or permits by rule may request a hearing with respect to the new requirements in accordance with this section. If a request for a hearing is received, the commission shall hold a hearing to receive comments on issues of significant technical merit and concerns related to the responsibilities of the Missouri clean water law. The commission shall conduct such hearings in accordance with this section. After consideration of such comments, a final action on the permit shall be rendered. The time between the date of the hearing request and the hearing itself shall not be counted as time elapsed pursuant to subdivision (1) of subsection 13 of this section.

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. The commission shall set the matter for hearing not less than thirty days after the notice of appeal is filed. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section the burden of proof is on the applicant for a permit. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. Unless a site-specific permit is requested by the applicant, aquaculture facilities shall be governed by a general permit issued pursuant to this section with a fee not to exceed two hundred fifty dollars pursuant to subdivision (5) of subsection 6 of section 644.052. However, any aquaculture facility which materially violates the conditions and requirements of such permit may be required to obtain a site-specific permit.

10. No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of an operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit.

11. Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

12. The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission.

The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

13. (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the requested permits within sixty days of the department's receipt of an application.

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065, RSMo.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as provided in sections 536.085 and 536.087, RSMo. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

14. The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

15. All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 5, Section 640.715, Line 2, by deleting the word “**facility**” and inserting in lieu thereof the following:

“**operation**”; and

Further amend said bill, Page 5, Section 640.715, Line 3, by deleting the word “**facility**” and inserting in lieu thereof the following:

“**operation**”; and

Further amend said bill, Page 5, Section 640.715, Line 4, by striking opening and closing brackets; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1177, Page 12, Section 644.016, Line 106, by striking the opening and closing brackets; and

Further amend said page, Line 108, by inserting immediately after the word “indirectly” the following:

“;”; and

Further amend said page, Lines 108-110, by striking all the bold language.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1188**, entitled:

An act to repeal sections 221.070, 488.4014, 488.5320, and 595.045, RSMo, and to enact in lieu thereof four new sections relating to the criminal justice system, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1192**, entitled:

An act to repeal sections 267.470, 267.472, 267.475, 267.480, 267.485, 267.490, 267.495, 267.500, 267.505, 267.510, 267.515, 267.520, 267.525, 267.531, 267.535, 267.540, 267.545, 267.550, 267.551, 267.552, 267.553, 267.554, 267.555, 267.556 and 537.115, RSMo, and to enact in lieu thereof two new sections relating to animal health and inspection.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1215**, entitled:

An act to repeal section 575.195, RSMo, and to enact in lieu thereof one new section relating to escape from commitment, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1217**, entitled:

An act to repeal sections 86.223 and 86.690, RSMo, and to enact in lieu thereof two new sections relating to retirement systems of police employees within Kansas City and St. Louis.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1253**, entitled:

An act to repeal sections 375.246, 375.1198, 375.1220 and 379.825, RSMo, and to enact in lieu thereof four new sections relating to insurance.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1440**, entitled:

An act to repeal sections 104.020, 104.050, 104.080, 104.090, 104.103, 104.110, 104.170, 104.180, 104.255, and 251.440, RSMo, and to enact in lieu thereof twelve new sections relating to retirement.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HB 1487**, entitled:

An act to repeal section 565.110, RSMo, and to enact in lieu thereof two new sections relating to kidnapping, with penalty provisions and an emergency clause.

With Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2.

*Senate Amendment No. 1
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to House Substitute for House Bill No. 1487, Page 4, Section 566.212, Line 27, by striking the word “reasonably”.

*Senate Amendment 2
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to House Substitute for House Bill No. 1487, Page 7, Section 567.030, Line 23, by striking the word “reasonably”.

Senate Amendment No. 1

AMEND House Substitute for House Bill No. 1487, Page 1, In the Title, Line 3, by striking “kidnapping” and inserting in lieu thereof the following:

“human exploitation”; and

Further amend said bill, Page 2, Section 565.115, Line 7, by inserting after all of said line the following:

“566.200. As used in sections 566.200 to 566.221, the following terms shall mean:

(1) “Basic rights information”, information applicable to a noncitizen, including information about human rights, immigration, and emergency assistance and resources;

(2) “Client”, a person who is a resident of the United States and the state of Missouri and who contracts with an international matchmaking organization to meet recruits;

(3) “Coercion”,

(a) Threats of substantial bodily harm to or physical restraint against any person;

(b) Any scheme, plan, or pattern of behavior intended to cause a person to believe that failure to perform an act will result in substantial bodily harm to or physical restraint against any person; or

(c) The abuse or threatened abuse of the legal process;

(4) “Commercial sex act”, any sex act on account of which anything of value is given to or received by any person;

(5) “Criminal history record information”, criminal history record information, including information provided in a criminal background check, obtained from the Missouri state highway patrol and the Federal Bureau of Investigation;

(6) “International matchmaking organization”, a corporation, partnership, or other legal entity, whether or not organized pursuant to the laws of the United States or any state, that does business in the United States and for-profit offers to residents of Missouri, dating, matrimonial, or social referral services involving citizens of a foreign country or countries who are not residing in the United States. Such business shall include, but is not limited to, the exchange of names, telephone numbers, addresses, or statistics, the selection of photographs, and creating a social environment provided by the organization in a country other than the United States. Such business shall not include a traditional matchmaking organization of a religious nature that otherwise operates in compliance with the laws of the countries of the recruits by such organization and the laws of the United States, or an organization that does not charge a fee to any party for the services provided;

(7) “Involuntary servitude”, a condition of servitude induced by means of:

(a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or

(b) The abuse or threatened abuse of the legal process;

(8) “Marital history information”, a declaration of the person's current marital status, the number of times the person has previously been married, and whether any previous marriages occurred as a result of service from an international matchmaking organization;

(9) “Recruit”, a non-citizen, non-resident, recruited by an international matchmaking organization for the purpose of providing dating, matrimonial, or social referral services.

566.203. 1. A person commits the crime of abusing an individual through forced labor by knowingly providing or obtaining the labor or services of a person:

(1) By threats of serious harm or physical restraint against such person or another person;

(2) By means of any scheme, plan, or pattern of behavior intended to cause such person to believe that, if the person does not perform the labor services, the person or another person will suffer substantial bodily harm or physical restraint; or

(3) By means of the abuse or threatened abuse of the law or the legal process.

2. A person who pleads guilty to or is found guilty of the crime of abuse through forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of abuse through forced labor is a class B felony.

566.206. 1. A person commits the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor if a person knowingly recruits, harbors, transports, provides, or obtains by any means, another person for labor or services.

2. A person who pleads guilty to or is found guilty of the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a class B felony.

566.209. 1. A person commits the crime of trafficking for the purposes of sexual exploitation if a person knowingly recruits, transports, provides, or obtains by any means, another person for the use or employment of such person in sexual conduct as defined in section 556.061, RSMO, without his or her consent.

2. The crime of trafficking for the purposes of sexual exploitation is a class B felony.

566.212. 1. A person commits the crime of sexual trafficking of a child if the individual knowingly:

(1) Recruits, entices, harbors, transports, provides, or obtains by any means a person under the age of eighteen to participate in a commercial sex act or benefits, financially or by receiving anything of value, from participation in such activities; or

(2) Causes a person under the age of eighteen to engage in a commercial sex act.

2. It shall not be an affirmative defense that the defendant reasonably believed that the person was eighteen years of age or older.

3. The crime of sexual trafficking of a child is a class A felony if the child is under the age of eighteen.

566.215. 1. A person commits the crime of contributing to human trafficking through the misuse of documentation when the individual knowingly:

(1) Destroys, conceals, removes, confiscates, or possesses a valid or purportedly valid passport, government identification document, or other immigration document of another person while committing crimes or with the intent to commit crimes, pursuant to sections 566.200 to 566.221; or

(2) Prevents, restricts, or attempts to prevent or restrict, without lawful authority, a person's ability to move or travel by restricting the proper use of identification, in order to maintain the labor or services of a person, who is the victim of a crime committed pursuant to sections 566.200 to 566.221.

2. A person who pleads guilty to or is found guilty of the crime of contributing to human trafficking through the misuse of documentation shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of contributing to human trafficking through the misuse of documentation is a class D felony.

566.218. A court sentencing an offender convicted of violating the provisions of sections 566.203, 566.206, 566.209, 566.212, and 566.215, shall order the offender to pay restitution to the victim of the offense.

566.221. 1. An international matchmaking organization shall provide notice to each recruit that the criminal history record information and marital history information of clients and basic rights information are available. The notice of the availability of such information must be in a conspicuous location, in the recruit's native language, in lettering that is at least one-quarter of an inch in height, and presented in a manner that separates the different types of information available.

2. An international matchmaking organization shall disseminate to a recruit the criminal history record information and marital history information of a client and basic rights information no later than thirty days after the date the international matchmaking organization receives the criminal history record information and the marital history information on the client. Such information must be provided in the recruit's native language and the organization shall pay the costs incurred to translate the information.

3. A client of an international matchmaking organization shall:

(1) Obtain a copy of his or her own criminal history record information;

(2) Provide the criminal history record information to the international matchmaking organization; and

(3) Provide to the international matchmaking organization his or her own marital history information.

4. An international matchmaking organization shall require the client to affirm that the marital history information is complete and accurate and includes information regarding marriages, annulments, and dissolutions that occurred in another state or foreign country.

5. An international matchmaking organization shall not provide any further services to the client or the recruit until the organization has obtained the requested criminal history record information and marital history information and provided the information to the recruit.

6. An international matchmaking organization shall be deemed to be doing business in Missouri if it contracts for matchmaking services with a Missouri resident or is considered to be doing business pursuant to other laws of the state.

7. A person who pleads guilty to or is found guilty of violating the provisions of this section shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

8. It shall be a class D felony to wilfully provide incomplete or false information pursuant to this section.

9. Failure to provide the information and notice required pursuant to this section shall be a class D felony.

566.223. Any individual who is alleging that a violation of sections 566.200 to 566.221 has occurred against his or her person, shall be afforded the rights and protections provided in the federal Trafficking Victims Protection Act of 2000, Public Law 106-386, as amended.

567.030. 1. A person commits the crime of patronizing prostitution if he patronizes prostitution.

2. **It shall not be an affirmative defense that the defendant reasonably believed that the person he or she patronized for prostitution was eighteen years of age or older.**

3. Patronizing prostitution is a class B misdemeanor, **unless the individual who the person is patronizing is under the age of eighteen but older than the age of fourteen, in which case patronizing prostitution is a class A misdemeanor.**

4. **Patronizing prostitution is a class D felony if the individual who the person patronizes is fourteen years of age or younger.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Substitute for House Bill No. 1487, Page 1, In the Title, Line 3, by striking “kidnapping” and inserting in lieu thereof the following:

“crimes against persons”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“556.037. **Notwithstanding** the provisions of section 556.036, [to the contrary notwithstanding,] prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within [ten] **twenty** years after the victim reaches the age of eighteen **unless the prosecutions are for forcible rape, attempted forcible rape, forcible sodomy, kidnapping, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.**”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HB 1511**, entitled:

An act to repeal sections 301.681, 306.458, 306.461, 362.600, 456.010, 456.015, 456.016, 456.020, 456.030, 456.040, 456.050, 456.055, 456.060, 456.070, 456.072, 456.075, 456.080, 456.090, 456.100, 456.110, 456.120, 456.130, 456.140, 456.150, 456.160, 456.170, 456.180, 456.183, 456.185, 456.187, 456.190, 456.195, 456.200, 456.210, 456.220, 456.225, 456.230, 456.232, 456.233, 456.234, 456.235, 456.236, 456.240, 456.250, 456.260, 456.270, 456.280, 456.290, 456.300, 456.310, 456.320, 456.330, 456.340, 456.350, 456.400, 456.410, 456.420, 456.430, 456.440, 456.450, 456.460, 456.470, 456.480, 456.490, 456.500, 456.510, 456.520, 456.524, 456.530, 456.535, 456.540, 456.550, 456.560, 456.570, 456.580, 456.610, 456.620, 456.630, 456.640, 456.650, 456.660, 456.670, 456.900, 456.901, 456.902, 456.903, 456.904, 456.905, 456.906, 456.907, 456.908, 456.909, 456.910, 456.911, 456.912, 456.913, 461.300, 469.401, 469.409, 469.411, 469.419, 469.423, 469.435, 469.449 and 469.453, RSMo, and to enact in lieu thereof one hundred fifty-six new sections relating to trust and estate administration.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1511, Page 98, Section 461.300, Line 9, by inserting after “claimant” on said line:

“, within sixteen months following the decedent’s death”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635**, entitled:

An act to authorize the conveyance of property, with an emergency clause for a certain section.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1613, House Bill No. 1445, House Bill No. 1454, House Bill No. 1462, House Committee Substitute for House Bill No. 1471, House Bill No. 1608, House Bill No. 1612 and House Bill No. 1635, Page 3, Section 4, Lines 6-18, by striking said lines and inserting in lieu thereof the following:

"All that part of the northwest quarter of the southwest quarter of Section Three (3), Township Twenty-three (23) north, Range Ten (10) east described by metes and bounds as follows:

Beginning at a point twenty-five (25) feet west of and six hundred thirty four and five tenths (634.5) feet south no degrees and forty three minutes west of the northeast corner of the northwest quarter of the southwest quarter of Section Three (3) aforesaid; thence south no degrees and forty three minutes west two hundred forty-eight (248) feet; thence west four hundred thirty nine and eighty five hundredths (439.85) feet; thence north two hundred forty-eight (248) feet; thence east four hundred forty-three (443) feet to the point of beginning and containing 2.513 acres, more or less, and being a part of the northwest quarter of the southwest quarter of Section Three (3) aforesaid."

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1617**, entitled:

An act to amend chapter 409, RSMo, by adding thereto six new sections relating to obstruction of securities investigations, with penalty provisions.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1617, Page 1, Section 409.109, Line 3, by striking the following words: **"The attorney general or the proper"** and inserting in lieu thereof:

"For prosecutions of violations of sections 409.108 to 409.114 the local county"; and

Further amend Line 5, by adding at end of said line the following:

“If the proper prosecuting attorney refuses to bring charges under this section, the Attorney General shall have jurisdiction and proceed with prosecution under these sections”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1634**, entitled:

An act to repeal sections 59.480, 193.225, and 193.245, RSMo, and to enact in lieu thereof three new sections relating to disclosure of certain recorded documents.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1660**, entitled:

An act to repeal sections 43.250, 43.251, and 610.200, RSMo, and to enact in lieu thereof three new sections relating to accident reports.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1126**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1364**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1616**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1664**.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, May 6, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-second Day, Tuesday, May 4, 2004, Page 1410, Line 8, by inserting immediately after said line the following:

SS SCR 47 - Rules

AFFIDAVITS

I, State Representative Brian Baker, District 123, hereby state and affirm that my vote as recorded on Pages 1379 and 1380 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Brian Baker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Russ Carnahan, District 59, hereby state and affirm that my vote as recorded on Page 1403 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Russ Carnahan
State Representative

[illegible]

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Larry Crawford, District 117, hereby state and affirm that my vote as recorded on Page 1399 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Larry Crawford
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 1401 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Jane Cunningham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my votes as recorded on Pages 1401 and 1402 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jack Goodman, District 132, hereby state and affirm that my votes as recorded on Pages 1392 and 1409 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Jack Goodman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my votes as recorded on Pages 1405, 1406, 1407, 1408 and 1409 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Van Kelly, District 144, hereby state and affirm that my vote as recorded on Page 1387 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Van Kelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sherman Parker, District 12, hereby state and affirm that my vote as recorded on Pages 1381 and 1382 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded.

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Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Sherman Parker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rob Schaaf, District 28, hereby state and affirm that my vote as recorded on Page 1382 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Rob Schaaf
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Trent Skaggs, District 31, hereby state and affirm that my vote as recorded on Page 1405 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Trent Skaggs
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Wright, District 137, hereby state and affirm that my votes as recorded on Pages 1398, 1399, 1400, 1401, 1408 and 1409 of the House Journal for Tuesday, May 4, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of May 2004.

/s/ Mark Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Friday, May 7, 2004, 8:30 a.m. Hearing Room 1.
Accounts Committee Resolution #12. Audit review.
Executive session may follow.

AGRICULTURE

Thursday, May 6, 2004, 9:00 a.m. Hearing Room 4.
Possible Executive session.
Public hearing to be held on: SCS SB 810

BUDGET

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session. Other bills as assigned or referred for fiscal review.

CONFERENCE COMMITTEE NOTICE

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 1.
Conference Committee SCS HCS HB 1305.

CONFERENCE COMMITTEE NOTICE

Thursday, May 6, 2004, House Chamber side gallery upon morning adjournment
Conference Committee SS HS HCS HB 978.

CORRECTIONS AND STATE INSTITUTIONS

Thursday, May 6, 2004, 8:30 a.m. Hearing Room 5.
Executive session may follow. AMENDED
Public hearing to be held on: HCR 37

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, May 6, 2004, House Chamber side gallery upon morning adjournment.

AMENDED

Public hearing to be held on: SS SB 1023

Executive session will be held on: HB 1643, SS SCS SCR 36, SS SB 1023, SCS SB 972

HOMELAND SECURITY AND VETERANS AFFAIRS

Thursday, May 6, 2004, Hearing Room 5 upon morning adjournment.

Executive session may follow. **AMENDED**

Public hearings to be held on: HCR 23, SCS SB 1171

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 6, 2004, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

LOCAL GOVERNMENT

Thursday, May 6, 2004, 9:00 a.m. Hearing Room 6.

Executive session will be held on: SS SCS SB 1183

RULES

Thursday, May 6, 2004, Hearing Room 1 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HCR 41, HR 1911, SB 717, SS SCR 47

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, May 6, 2004, Hearing Room 6 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HB 1734, SCR 44

HOUSE CALENDAR

SIXTY-FOURTH DAY, THURSDAY, MAY 6, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)

- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289 - 1290) - Engler (106)
- 2 SCR 34, (2-16-04, Page 331) - Crawford (117)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 878 - Rector (124)
- 2 SCS SB 1331 - Bivins (97)
- 3 SCS SB 921, E.C. - Byrd (94)
- 4 SCS SB 1006 - Page (82)
- 5 SB 1111 - Lager (4)
- 6 SB 1107 - Schaaf (28)
- 7 SB 1055 - Johnson (47)
- 8 SCS SB 992 - Mayer (159)
- 9 SCS SB 956 - Wilson (119)
- 10 SB 951 - Threlkeld (109)
- 11 SB 899 - Dusenbergl (54)
- 12 SB 1130 - Deeken (114)
- 13 SCS SB 1172 - Fares (91)
- 14 SCS SB 788, E.C. - Goodman (132)
- 15 SB 842, E.C. - Wood (62)

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- 16 SCS SB 859 - Stefanick (93)
- 17 SCS SB 952 - Johnson (47)
- 18 SCS SB 1078 - Richard (129)
- 19 SB 1083 - Schaaf (28)
- 20 SB 1086 - Pearce (121)
- 21 SCS SB 1195 - Lager (4)
- 22 SCS SB 1235 - Luetkemeyer (115)
- 23 HCS SB 1242 - Wilson (42)
- 24 SB 1243 - Byrd (94)
- 25 SB 1249 - Dempsey (18)
- 26 SCS SB 1250 - Rector (124)
- 27 SCS SB 1253 - Dempsey (18)
- 28 HCS SB 1259 - Taylor (68)
- 29 SB 1285 - Cooper (120)
- 30 HCS SB 1299 - Luetkemeyer (115)
- 31 SB 1302, E.C. - Morris (138)
- 32 SCS SB 1304 - Lembke (85)
- 33 SB 1320 - Luetkemeyer (115)

(4/29/04)

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberger (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)

(5/03/04)

- 1 SB 781 - Byrd (94)
- 2 HCS SCS SB 799 - Rupp (13)
- 3 SB 883 - Lager (4)
- 4 SCS SB 1044 - Pearce (121)
- 5 HCS SCS SB 1247 - Byrd (94)

(5/05/04)

- 1 HCS SCS SB 771 - Daus (67)
- 2 SCS SB 1075 - Jones (63)

(5/06/04)

- 1 SB 1296 - Dougherty (53)
- 2 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SB 932, HA 6 and HS, as amended, pending - Wilson (130)
- 3 HCS SCS SBs 1020, 889 & 869 - Goodman (132)
- 4 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 5 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 6 SS SS SCS SB 715 - Johnson (47)
- 7 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 8 HCS SCS SB 1038 - Luetkemeyer (115)
- 9 HCS SCS SB 1365 - Jackson (89)
- 10 HCS SB 870 - Pearce (121)
- 11 SB 966 - Smith (118)
- 12 HCS SS SB 1000 - Mayer (159)
- 13 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 14 SB 920 - Cooper (155)
- 15 SCS SB 1062 - Johnson (47)
- 16 SCS SB 1155 - Dempsey (18)
- 17 SCS SB 1045 - Haywood (71)
- 18 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 19 HCS SCS SB 1269 - Dempsey (18)
- 20 HCS SB 1211 - Byrd (94)
- 21 SCS SB 1265 - Byrd (94)
- 22 HCS SB 1391, (Budget 5-04-04) - Black (161)
- 23 HCS SS SS SCS SB 1122 - Behnen (2)
- 24 SB 783, E.C. - Smith (118)
- 25 SCS SB 987 - Johnson (47)
- 26 SCS SB 1196 - Lager (4)
- 27 SCS SB 700 - Angst (146)
- 28 SCS SB 827 - Byrd (94)
- 29 SB 1007 - Byrd (94)
- 30 HCS SS SCS SB 1034 - Marsh (136)
- 31 SB 1229 - Mayer (159)
- 32 SCS SB 1240 - Schlottach (111)
- 33 SCS SB 1262 - Engler (106)

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- 34 SB 1344 - Dempsey (18)
- 35 HCS SCS SB 845 - Jackson (89)
- 36 HCS SB 900 - Dusenberg (54)
- 37 HCS SCS SB 1225 - Hubbard (58)
- 38 HCS SB 1323 - Purgason (151)

SENATE BILL FOR THIRD READING - REVISION

SRB 1108 - Crowell (158)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1071, 801, 1275 & 989, E.C. - Goodman (132)
- 2 SCS HB 938, E.C. - Luetkemeyer (115)
- 3 SCS HS HCS HB 1290 - Portwood (92)
- 4 SCS HB 822 - Luetkemeyer (115)
- 5 SCS HCS HB 1321 - Schaaf (28)
- 6 SCS HCS HB 1456 and HB 824 - Black (161)
- 7 SCS HCS HB 1136 - Rupp (13)
- 8 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate recede/grant conference, pending, E.C. - Cunningham (86)
- 9 SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635, as amended, E.C. - Morris (138)
- 10 SCS HB 1217 - Johnson (47)
- 11 SCS HCS HB 1253 - Luetkemeyer (115)
- 12 SCS HCS HB 1660 - Lager (4)
- 13 SCS HB 1634 - Behnen (2)
- 14 SCS HB 1440 - Deeken (114)
- 15 SCS HB 960 - Roark (139)
- 16 SCS HB 1029, 1438 & 1610 - Henke (11)
- 17 SCS HB 826 & HCS HB 883 - Kelly (144)
- 18 SCS HCS HB 928, HCS HB 1123 & HCS HB 1280, as amended - Bivins (97)
- 19 SCS HCS HB 798 - Shoemaker (8)
- 20 SCS HB 1188 - Lipke (157)
- 21 SCS HCS HB 1192 - Schlottach (111)
- 22 SCS HB 996, HB 1142, HCS HB 1201 & HB 1489, as amended - Dusenberg (54)
- 23 SCS HCS HB 1177, as amended - Guest (5)
- 24 SS HCS HB 998 & 905 - Sutherland (99)
- 25 SS SCS HCS HB 833, as amended - Luetkemeyer (115)
- 26 HS HB 1487, SA 1 to SA 1, SA 2 to SA 1, SA 1, as amended, and SA 2, E.C. - Self (116)
- 27 SCS HCS HB 1215, E.C. - Engler (106)
- 28 SCS HCS HB 1074 & 1129 - Byrd (94)
- 29 HCS HB 1617, SSA 1 for SA 1 - Hanaway (87)
- 30 SS HS HCS HB 1511, as amended - Byrd (94)

BILL CARRYING REQUEST MESSAGES

SCS HCS HB 959, as amended (request Senate recede/grant conference) - Luetkemeyer (115)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SCS HS HCS HB 1006 - Bearden (16)
- 3 SCS HS HCS HB 1008 - Bearden (16)
- 4 SCS HS HCS HB 1011, as amended - Bearden (16)
- 5 CCR SCS HS HCS HB 1012, as amended - Bearden (16)
- 6 SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 7 SCS HCS HB 1305, as amended - Byrd (94)
- 8 SS HS HCS HB 978, as amended - Baker (123)
- 9 HS HCS SS SCS SB 1099, as amended - Dempsey (18)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-FOURTH DAY, THURSDAY, MAY 6, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

Today is the National Day of Prayer 2004; its theme is Let Freedom Ring. "Let Freedom Ring" is a familiar line from the patriotic song, MY COUNTRY, 'TIS OF THEE.

O God, let freedom ring everywhere in our land.
Let freedom be the patrimony of ALL the people
who make our country their homeland.

Help us in our work to be at the service of true freedom,
freedom that always honors You, our God,
and remains in harmony with Your truth.

(The last verse of MY COUNTRY, 'TIS OF THEE is a timely prayer.)

Our fathers' God, to Thee,
Author of liberty,
To Thee we sing.
Long may our land be bright,
With freedom's holy light;
Protect us by Thy might,
Great God, our King.

Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Erica Baur, Nina Bray, Ava Gardner, JoJo Carrillo, Terri Fagan, Ronnie Reynolds, Peter Forsee, Sarah Mayfield, Kelley Appelbaum, Evan Eberhard, Hannah Plowman, Emily Shanders, Austin Carey, Anna Lembke, Mitchell Lembke, Brett Surwillo and Isaac Wurth.

The Journal of the sixty-third day was approved as corrected.

SPECIAL RECOGNITION

Drew Richards was introduced by Representatives Dixon and Cunningham (145) and recognized as an Outstanding Missouri Student.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2714

through

House Resolution No. 2727 - Representative LeVota

House Resolution No. 2728

through

House Resolution No. 2741 - Representative Hobbs

House Resolution No. 2742 - Representative Jackson

MOTION

Representative Crowell moved that Rule 23 be suspended to allow members of the House Conference Committees on **SCS HS HCS HB 1006**, **SCS HS HCS HB 1008** and **SCS HS HCS HB 1011, as amended**, to meet today, May 6, 2004, while the House is in session.

Which motion was adopted by the following vote:

AYES: 129

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Byrd	Carnahan	Cooper 120	Cooper 155	Crowell
Cunningham 145	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Green	Guest	Hampton
Haywood	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 36
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Wallace
Walton	Ward	Wasson	Whorton	Wildberger

Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Wright	Young	Madam Speaker	

NOES: 020

Burnett	Corcoran	Daus	Donnelly	El-Amin
Harris 110	Henke	Johnson 90	LeVota	Liese
Muckler	Sager	Schoemehl	Selby	Skaggs
Vogt	Walker	Walsh	Witte	Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Boykins	Brooks	Campbell	Crawford
Cunningham 86	Curls	Graham	Harris 23	Kelly 144
King	Pearce	Yates	Zweifel	

Representative Behnen assumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HB 1617, with Senate Substitute Amendment No. 1 for Senate Amendment No. 1, relating to obstruction of securities investigations, was taken up by Representative Hanaway.

Representative Hanaway moved that the House refuse to concur in **Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to HCS HB 1617** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Hanaway resumed the Chair.

SCS HCS HBs 1074 & 1129, relating to cross burning, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to adopt **SCS HCS HBs 1074 & 1129** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 959, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Yeckel, Gross, Dolan, Mathewson and Caskey.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SB 1099, as amended**: Senators Gibbons, Vogel, Griesheimer, Goode and Bray.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 732** and has taken up and passed **HCS SS SB 732**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 782** and has taken up and passed **HCS SCS SB 782**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1012** and has taken up and passed **HCS SB 1012**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 1279** and has taken up and passed **HCS SS SCS SB 1279**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 959: Representatives Luetkemeyer, Parker, Richard, Vogt and Spreng

THIRD READING OF SENATE BILLS

SB 932, with House Amendment No. 6, and HS, as amended, pending, relating to unemployment compensation, was taken up by Representative Wilson (130).

On motion of Representative Dempsey, **House Amendment No. 6** was adopted.

Representative Guest assumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin

Fares	Goodman	Guest	Hobbs	Hunter
Icet	Jackson	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	May	Mayer	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 070

Abel	Barnitz	Bishop	Bland	Bringer
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Ransdall
Sager	Salva	Schoemehl	Seigfreid	Selby
Skaggs	Spreng	Swinger	Threlkeld	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Boykins	Brooks	Crawford	Holand
Marsh	Shoemyer	Thompson		

On motion of Representative Wilson (130), **HS SB 932, as amended**, was adopted.

On motion of Representative Wilson (130), **HS SB 932, as amended**, was read the third time and passed by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Icet	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach

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Schneider	Self	Shoemaker	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Threlkeld	Townley	Viebrock	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Meiners	Muckler	Page	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 007

Avery	Green	Lawson	Marsh	Parker
Ransdall	Walton			

Representative Guest declared the bill passed.

Representative Johnson (90) requested a verification of the roll call on the motion to third read and pass **HS SB 932, as amended**.

HCS SS SB 1000, relating to DNA profiling, was taken up by Representative Crowell.

Representative Crowell offered **HS HCS SS SB 1000**.

Representative Seigfreid offered **House Amendment No. 1**.

HCS SS SB 1000, with House Amendment No. 1 and HS, pending, was placed on the Informal Calendar.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 1106**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon; further that the Senate conferees be allowed to exceed the differences.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Steve Seithel, Xavier Heditsian, Allison Body and Margaret Nahrup.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2743	-	Representative Wilson (42)
House Resolution No. 2744	-	Representative LeVota
House Resolution No. 2745		
through		
House Resolution No. 2748	-	Representative Pratt
House Resolution No. 2749	-	Representative Kratky
House Resolution No. 2750		
through		
House Resolution No. 2754	-	Representative Wasson
House Resolution No. 2755	-	Representative Viebrock
House Resolution No. 2756		
through		
House Resolution No. 2760	-	Representative Reinhart
House Resolution No. 2761	-	Representatives Haywood and Muckler
House Resolution No. 2762	-	Representative Myers
House Resolution No. 2763	-	Representative Walton
House Resolution No. 2764	-	Representative King
House Resolution No. 2765	-	Representative Wilson (130)
House Resolution No. 2766	-	Representative Emery
House Resolution No. 2767	-	Representative Burnett
House Resolution No. 2768		
through		
House Resolution No. 2770	-	Representative Cunningham (145), et al
House Resolution No. 2771		
through		
House Resolution No. 2783	-	Representative Cunningham (145)
House Resolution No. 2784		
through		
House Resolution No. 2786	-	Representatives Cunningham (145) and Angst
House Resolution No. 2787		
through		
House Resolution No. 2790	-	Representatives Cunningham (145) and Dixon
House Resolution No. 2791	-	Representative Deeken

House Resolution No. 2792
and
House Resolution No. 2793 - Representative Self
House Resolution No. 2794
and
House Resolution No. 2795 - Representative Fraser
House Resolution No. 2796 - Representative Ruestman
House Resolution No. 2797
through
House Resolution No. 2799 - Representative Swinger
House Resolution No. 2800
through
House Resolution No. 2813 - Representative Ervin
House Resolution No. 2814 - Representatives Wright and Cooper (120)
House Resolution No. 2815 - Representative Ransdall
House Resolution No. 2816 - Representative Riback Wilson (25)
House Resolution No. 2817 - Representative Bruns
House Resolution No. 2818 - Representative Luetkemeyer
House Resolution No. 2819
and
House Resolution No. 2820 - Representative Fraser
House Resolution No. 2821 - Representatives Fraser and Donnelly

THIRD READING OF SENATE BILL

HCS SB 870, relating to billboards, was taken up by Representative Pearce.

Representative Pearce offered **HS HCS SB 870**.

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 870, Page 2, Section 226.531, Line 15, by deleting all of said line and inserting in lieu thereof the following:

“The Constitution of the United States notwithstanding, no billboard or other exterior advertising sign, for an”.

Representative Smith (118) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Substitute for House Committee Substitute for Senate Bill No. 870, Page 3, Section 226.531(5), Lines 10-16, by deleting all of said lines.

Representative Skaggs raised a point of order that **House Amendment No. 1 to House Amendment No. 1** goes beyond the scope of the House Substitute.

The Chair ruled the point of order not well taken.

Representative Smith (118) moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Riback Wilson (25) offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 870, Page 2, Section 226.531, Lines 15 & 16, by deleting the following:

“, for an adult cabaret or sexually-oriented business”; and

Further amend said page and section, Lines 20 & 21, by deleting the following:

“, consisting of one identification sign and one sign solely giving notice that the premises are off limits to minors”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Riback Wilson (25) moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 012

Bishop	Donnelly	Dougherty	Fraser	Johnson 47
Lowe	Sager	Walker	Wildberger	Wilson 25
Wilson 42	Zweifel			

NOES: 144

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dixon	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke

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Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Ward	Wasson	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Young	Madam Speaker	

PRESENT: 002

Curls Whorton

ABSENT WITH LEAVE: 005

Avery Dethrow Holand Taylor Wagner

House Amendment No. 1 was withdrawn.

Representative Wright offered **House Amendment No. 2**.

Representative Cooper (155) raised a point of order that **House Amendment No. 2** is not germane to the bill.

Representative Curls raised an additional point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the points of order well taken.

Representative Daus offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 870, Page 3, Section 226.531, Line 16, by inserting after said line the following:

“Section 1. The attorney general shall represent the state in all actions and proceedings arising from this section 573.510. Also, all costs incurred by the attorney general to defend or prosecute this section 573.510, including payment of all court costs, civil judgments and, if necessary, any attorneys fees, shall be paid from the general revenue fund.”; and

Further amend said bill, page and section, by renumbering the remaining subsections accordingly.

On motion of Representative Daus, **House Amendment No. 3** was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Iceet	Jackson	Jetton
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Threlkeld	Townley	Wallace	Wasson
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 073

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	Kratky	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Taylor	Viebrock	Wagner
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Speaker Hanaway resumed the Chair.

On motion of Representative Pearce, **HS HCS SB 870, as amended**, was adopted.

On motion of Representative Pearce, **HS HCS SB 870, as amended**, was read the third time and passed by the following vote:

AYES: 140

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	George	Goodman	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Le Vota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Threlkeld	Townley	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 018

Campbell	Donnelly	Dougherty	Fraser	Graham
Hoskins	Johnson 47	Jones	Lowe	Meiners
Sager	Smith 118	Thompson	Villa	Vogt
Walker	Wilson 25	Young		

PRESENT: 001

Curls

ABSENT WITH LEAVE: 004

Avery	Taylor	Viebrock	Wagner
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Speaker Hanaway declared the bill passed.

Representative Davis (122) assumed the Chair.

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 878, relating to experimental tariffs, was taken up by Representative Rector.

On motion of Representative Rector, **SCS SB 878** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Sutherland
Swinger	Threlkeld	Townley	Villa	Vogt
Walker	Wallace	Walsh	Walton	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

Hoskins	Stevenson	Thompson
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PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Taylor	Viebrock	Wagner	Ward
Wasson				

Representative Davis (122) declared the bill passed.

SCS SB 1331, relating to projects in census designated places, was taken up by Representative Bivins.

On motion of Representative Bivins, **SCS SB 1331** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Threlkeld	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 004

Davis 19	Hoskins	Thompson	Townley
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Taylor	Wagner	Ward
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Representative Davis (122) declared the bill passed.

SCS SB 921, relating to administrative segregation of offenders, was taken up by Representative Byrd.

On motion of Representative Byrd, **SCS SB 921** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

Hoskins	Lowe	Thompson
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Taylor	Wagner	Ward
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Representative Davis (122) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

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Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Threlkeld	Townley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 005

Hoskins	Sager	Thompson	Walker	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Schoemehl	Taylor	Wagner	Ward
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SB 1111, relating to law library funds, was taken up by Representative Lager.

On motion of Representative Lager, **SB 1111** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fraser

George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Fares	Taylor	Wagner	Ward
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Representative Davis (122) declared the bill passed.

SB 1107, relating to a conveyance in Buchanan County, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **SB 1107** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144

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Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Cunningham 145	Taylor	Wagner	Ward
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Representative Davis (122) declared the bill passed.

SCS SB 992, relating to transportation of anhydrous ammonia, was taken up by Representative Mayer.

On motion of Representative Mayer, **SCS SB 992** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers

Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Luetkemeyer	Smith 118	Taylor	Wagner
Ward				

Representative Davis (122) declared the bill passed.

SCS SB 1006, relating to a memorial highway, was taken up by Representative Page.

On motion of Representative Page, **SCS SB 1006** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberger
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid

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Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Smith 118	Taylor	Wagner	Ward
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Representative Davis (122) declared the bill passed.

SCS SB 956, relating to animal-driven vehicles, was taken up by Representative Wilson (119).

On motion of Representative Wilson (119), **SCS SB 956** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119

Wilson 130
Wright
Madam Speaker

Wilson 25
Yaeger

Wilson 42
Yates

Witte
Young

Wood
Zweifel

NOES: 001

Barnitz

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery
Ward

Luetkemeyer

Smith 118

Taylor

Wagner

Representative Davis (122) declared the bill passed.

SB 951, relating to political subdivision contracts, was taken up by Representative Threlkeld.

On motion of Representative Threlkeld, **SB 951** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel
Bearden
Bland
Brown
Carnahan
Crowell
Daus
Dethrow
El-Amin
Fraser
Guest
Henke
Hubbard
Johnson 47
Kelly 144
Kuessner
Liese
May
Miller
Myers
Phillips
Ransdall
Ruestman
Schaaf
Selby
Smith 14
Sutherland
Viebrock
Walton
Wilson 119

Avery
Behnen
Bough
Bruns
Cooper 120
Cunningham 145
Davis 122
Dixon
Emery
George
Hampton
Hilgemann
Hunter
Johnson 61
Kelly 36
Lager
Lipke
Mayer
Moore
Nieves
Portwood
Rector
Rupp
Schlottach
Self
Spreng
Swinger
Villa
Wasson
Wilson 130

Baker
Bishop
Boykins
Burnett
Cooper 155
Cunningham 86
Davis 19
Donnelly
Engler
Goodman
Harris 110
Hobbs
Icet
Johnson 90
King
Lawson
Lowe
McKenna
Morris
Page
Pratt
Reinhart
Sager
Schneider
Shoemaker
St. Onge
Thompson
Vogt
Whorton
Wilson 25

Barnitz
Bivins
Bringer
Byrd
Corcoran
Curls
Deeken
Dougherty
Ervin
Graham
Harris 23
Holand
Jackson
Jolly
Kingery
Lembke
Luetkemeyer
Meadows
Muckler
Parker
Purgason
Richard
Salva
Schoemehl
Shoemyer
Stefanick
Threlkeld
Wallace
Wildberger
Wilson 42

Bean
Black
Brooks
Campbell
Crawford
Darrough
Dempsey
Dusenberg
Fares
Green
Haywood
Hoskins
Jetton
Jones
Kratky
LeVota
Marsh
Meiners
Munzlinger
Pearce
Quinn
Roark
Sander
Seigfreid
Skaggs
Stevenson
Townley
Walsh
Willoughby
Witte

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Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 001

Walker

PRESENT: 000

ABSENT WITH LEAVE: 005

Angst	Smith 118	Taylor	Wagner	Ward
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Representative Davis (122) declared the bill passed.

Representative Hampton assumed the Chair.

SB 899, relating to the inspection of school buses, was taken up by Representative Dusenberg.

On motion of Representative Dusenberg, **SB 899** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Smith 14	Spreng	St. Onge
Stefanick	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25

Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 004

Barnitz	Selby	Skaggs	Stevenson	
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Smith 118	Taylor	Wagner	Ward
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Representative Hampton declared the bill passed.

SB 1130, relating to regional planning commissions, was taken up by Representative Deeken.

On motion of Representative Deeken, **SB 1130** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Shoemyer	Smith 118	Taylor	Wagner
Ward	Young			

Representative Hampton declared the bill passed.

SCS SB 1172, relating to the St. Louis Archives, was taken up by Representative Fares.

On motion of Representative Fares, **SCS SB 1172** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Henke

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Goodman	Smith 118	Taylor	Wagner
Ward	Wood			

Representative Hampton declared the bill passed.

SCS SB 788, relating to emergency vehicles, was taken up by Representative Goodman.

On motion of Representative Goodman, **SCS SB 788** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	May	Smith 118	Taylor	Wagner
Ward				

Representative Hampton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Sager	Walker
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Reinhart	Rupp	Smith 118	Taylor
Wagner	Ward			

SB 842, relating to licensure of lodging establishments, was taken up by Representative Wood.

On motion of Representative Wood, **SB 842** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Reinhart	Smith 118	Taylor	Wagner
Ward				

Representative Hampton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow

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Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 003

Darrough	Sager	Walker
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Reinhart	Seigfreid	Smith 118	Taylor
Wagner	Ward			

SCS SB 859, relating to highway patrol officers on school boards, was taken up by Representative Stefanick.

On motion of Representative Stefanick, **SCS SB 859** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Angst	Baker	Barnitz	Bean
Bearden	Bivins	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
Goodman	Graham	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90

Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wallace	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 016

Behnen	Bishop	Campbell	Daus	Davis 122
El-Amin	George	Green	LeVota	Liese
Lowe	Schoemehl	Skaggs	Walker	Walsh
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Smith 118	Taylor	Wagner	Ward
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Representative Hampton declared the bill passed.

SCS SB 1078, relating to insurance holding companies, was taken up by Representative Richard.

On motion of Representative Richard, **SCS SB 1078** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner

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Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 002

Hoskins Thompson

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Seigfreid	Smith 118	Taylor	Wagner
Ward				

Representative Hampton declared the bill passed.

SB 1083, relating to lead testing for children, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **SB 1083** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	El-Amin	Emery	Engler
Ervin	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker

Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Thompson	Threlkeld
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Dougherty Townley

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Cooper 155	Dusenberg	Fares	Smith 118
Taylor	Wagner	Ward		

Representative Hampton declared the bill passed.

SB 1086, relating to homeowner's insurance, was taken up by Representative Pearce.

On motion of Representative Pearce, **SB 1086** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach

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Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 002

Hoskins Thompson

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Fares	Smith 118	Taylor	Wagner
Ward	Young			

Representative Hampton declared the bill passed.

SCS SB 1235, relating to insurer liquidation, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SCS SB 1235** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh

Walton	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 005

Hoskins	Selby	Thompson	Wildberger	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Jolly	Kelly 144	Seigfreid	Smith 118
Taylor	Wagner	Ward		

Representative Hampton declared the bill passed.

HCS SB 1242, relating to the Kansas City School Retirement System, was taken up by Representative Wilson (42).

On motion of Representative Wilson (42), **HCS SB 1242** was adopted.

On motion of Representative Wilson (42), **HCS SB 1242** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh

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Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Purgason

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 005

Avery	Smith 118	Taylor	Wagner	Ward
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Representative Hampton declared the bill passed.

SB 1055, relating to Civilian Employees' Retirement System, was taken up by Representative Jolly.

On motion of Representative Jolly, **SB 1055** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130

Wilson 25	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Hunter	Purgason
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PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 006

Avery	Smith 118	Taylor	Wagner	Wallace
Ward				

Representative Hampton declared the bill passed.

SCS SB 1195, relating to juvenile court personnel, was taken up by Representative Lager.

On motion of Representative Lager, **SCS SB 1195** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25

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Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Hoskins	Thompson
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brooks	Morris	Smith 118	Taylor
Wagner	Ward			

Representative Hampton declared the bill passed.

SB 1243, relating to public administrators, was taken up by Representative Byrd.

On motion of Representative Byrd, **SB 1243** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Threlkeld
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Hoskins Thompson

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brooks	Dempsey	Smith 118	Taylor
Wagner	Ward			

Representative Hampton declared the bill passed.

Representative Hilgemann assumed the Chair.

SB 1249, relating to state purchasing, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SB 1249** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Marsh	May	Mayer	McKenna	Meiners
Miller	Moore	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

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NOES: 002

Hoskins Thompson

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Brooks	Burnett	Luetkemeyer	Meadows
Morris	Smith 118	Swinger	Taylor	Wagner
Ward				

Representative Hilgemann declared the bill passed.

SCS SB 1250, relating to Propane Education and Research Council, was taken up by Representative Rector.

On motion of Representative Rector, **SCS SB 1250** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Fares	Smith 118	Taylor	Wagner
Ward				

Representative Hilgemann declared the bill passed.

SCS SB 1253, relating to urban redevelopment, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SCS SB 1253** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

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PRESENT: 001

Campbell

ABSENT WITH LEAVE: 007

Avery	Brown	Hobbs	Smith 118	Taylor
Wagner	Ward			

Representative Hilgemann declared the bill passed.

HCS SB 1259, relating to temporary boater education permits, was taken up by Representative Taylor.

On motion of Representative Taylor, **HCS SB 1259** was adopted.

On motion of Representative Taylor, **HCS SB 1259** was read the third time and passed by the following vote:

AYES: 141

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yates	Young	Zweifel
Madam Speaker				

NOES: 011

Bishop	Darrough	Dougherty	Holand	Jones
Lawson	Sager	Salva	Selby	Wildberger
Yaeger				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 010

Avery	Campbell	Jetton	Jolly	Reinhart
Shoemaker	Smith 118	Taylor	Wagner	Ward

Representative Hilgemann declared the bill passed.

Speaker Hanaway resumed the Chair.

MOTION

Representative Crowell moved that Rule 56(c) be suspended to remove the one legislative day requirement on taking up Conference Committee Reports on **SCS HS HCS HB 1006, SCS HS HCS HB 1008** and **SCS HS HCS HB 1011, as amended**.

Which motion was adopted by the following vote:

AYES: 136

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	George	Goodman	Graham	Guest
Hampton	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25

Wilson 42
Madam Speaker

Wood

Wright

Yates

Young

NOES: 020

Bishop

Burnett

Daus

Fraser

Green

Harris 110

Harris 23

Haywood

Henke

Johnson 61

Johnson 90

LeVota

Sager

Salva

Schoemehl

Selby

Walker

Witte

Yaeger

Zweifel

PRESENT: 001

Kuessner

ABSENT WITH LEAVE: 006

Avery
Ward

Campbell

Kelly 144

Taylor

Wagner

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1006**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1006 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1006.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1006.
3. That the attached Conference Committee Substitute for House Bill No. 1006, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
 /s/ Sen. Chuck Gross
 /s/ Sen. Charles W. Shields
 /s/ Sen. Wayne Goode
 /s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
 /s/ Rep. Brad Lager
 /s/ Rep. Allen Icet
 /s/ Rep. Jim Whorton
 /s/ Rep. J.C. Kuessner

BILL IN CONFERENCE

CCR SCS HS HCS HB 1006, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1006** was adopted by the following vote:

AYES: 128

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bough
Boykins	Brooks	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	George	Goodman
Graham	Guest	Hampton	Harris 110	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Jones	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Ruestman	Salva	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Threlkeld	Townley
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Young	Zweifel	Madam Speaker		

NOES: 027

Bishop	Bringer	Burnett	Corcoran	Daus
El-Amin	Fraser	Green	Harris 23	Hoskins
Johnson 61	Johnson 90	Jolly	LeVota	Meadows
Muckler	Ransdall	Roark	Sager	Schoemehl
Selby	Swinger	Thompson	Walker	Wilson 25
Witte	Yaeger			

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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Kelly 144	Rupp	Taylor
Vogt	Wagner	Ward		

On motion of Representative Bearden, **CCS SCS HS HCS HB 1006** was read the third time and passed by the following vote:

AYES: 129

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Guest	Hampton
Harris 110	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Jones	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Young	Madam Speaker	

NOES: 027

Bishop	Bringer	Burnett	Corcoran	Daus
Fraser	Green	Harris 23	Henke	Hoskins
Johnson 61	Johnson 90	Jolly	LeVota	Meadows
Ransdall	Roark	Sager	Schoemehl	Selby
Swinger	Thompson	Walker	Wilson 25	Witte
Yaeger	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Kelly 144	Smith 118	Taylor	Vogt
Wagner	Ward			

Speaker Hanaway declared the bill passed.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 1305, as amended**: Senators Scott, Loudon, Cauthorn, Wheeler and Kennedy.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS#2 SB 762, as amended**, and requests the House recede to from its position and failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HB 1207**, entitled:

An act to repeal sections 245.015, 245.060, 245.095, and 246.305, RSMo, and to enact in lieu thereof four new sections relating to levee districts.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 1207, Page 3, Section 245.015, Line 18, by striking the word “tree” and inserting in lieu thereof the word “**three**”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1055**, entitled:

An act to repeal sections 565.082, 565.083, 556.037, 566.083, 566.140, 566.141, 573.037, 573.040, 589.400, 589.425, and 660.520, RSMo, and to enact in lieu thereof fourteen new sections relating to sexual offenses, with a penalty provision.

With Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1055, Page 7, Section 537.040, Line 29 of said page, by inserting after all of said line the following:

“537.046. 1. As used in this section, the following terms mean:

(1) “Childhood sexual abuse”, any act committed by the defendant against the plaintiff which act occurred when the plaintiff was under the age of eighteen years and which act would have been a violation of section 566.030, 566.040, 566.050, 566.060, 566.070, 566.080, 566.090, 566.100, 566.110, or 566.120, RSMo, or section 568.020, RSMo;

(2) “Injury” or “illness”, either a physical injury or illness or a psychological injury or illness. A psychological injury or illness need not be accompanied by physical injury or illness.

2. In any civil action for recovery of damages suffered as a result of childhood sexual abuse, [the time for commencement of the action shall be within five years] **the action shall be commenced within ten years** of the date the plaintiff attains the age of [eighteen] **twenty-one** or within three years of the date the plaintiff discovers or reasonably should have discovered that the injury or illness was caused by child sexual abuse, whichever later occurs.

3. This section shall apply to any action commenced on or after August 28, 1990, including any action which would have been barred by the application of the statute of limitation applicable prior to that date.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1055, Page 5, Section 566.083, Line 1, by inserting after said line the following:

“566.093. 1. A person commits the crime of sexual misconduct in the second degree if [he] **such person:**

(1) Exposes his **or her** genitals under circumstances in which he **or she** knows that his **or her** such conduct is likely to cause affront or alarm; [or]

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he **or she** knows that such conduct is likely to cause affront or alarm or while being in a public place in the presence of another person or persons; **or**

(3) **Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.**

2. Sexual misconduct in the second degree is a class B misdemeanor unless the actor has previously been convicted of an offense under this chapter, in which case it is a class A misdemeanor.”; and

Further amend Page 5, Section 566.140, Line 2, by inserting immediately after the section identifier “566.140.” the following subsection identifier “1.”; and

Further amend Page 5, Section 566.140, Lines 16-18, by striking the words “**Any person involved in such a program shall be required to follow all directives of the treatment program provider.**”; and

Further amend same page, same section, Line 18, by inserting after the end of said line the following:

“2. No person who provides assessment services or who makes a report, finding, or recommendation for any probationer to attend any counseling or program of treatment, education or rehabilitation as a condition or requirement of probation, following the probationer’s plea of guilty to or a finding of guilty of violating any provision of this chapter or chapter 565, RSMo, may be related within the third degree of consanguinity or affinity to any person who has a financial interest, whether direct or indirect, in the counseling or program of treatment, education or rehabilitation or any financial interest, whether direct or indirect, in any private entity which provides the counseling or program of treatment, education or rehabilitation. Any person who violates this subsections hall thereafter:

(1) **Immediately remit to the state of Missouri any financial income gained as a direct or indirect result of the action constituting the violation;**

(2) **Be prohibited from providing assessment or counseling services or any program of treatment, education or rehabilitation to, for, on behalf of, at the direction of, or in contract with the state board of probation and parole or any office thereof; and**

(3) **Be prohibited from having any financial interest, whether direct or indirect, in ay private entity which provides assessment or counseling services or any program of treatment, education or rehabilitation to, for, on behalf of, at the direction of, or in contract with the state board of probation and parole or any office thereof.”;** and

Further amend Page 9, Section 589.400, Line 6, by inserting immediately after the word “state” the following:

“, foreign country,”; and

Further amend same page, same section, Line 6, by inserting immediately after the word “federal” the following:

“or military”.

Senate Amendment No. 4

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1055, Page 11, Section 589.425, Line 8, by deleting all of said section and inserting in lieu thereof the following:

“589.425. 1. Any person who is required to register pursuant to sections 589.400 to 589.425 and does not meet all requirements of sections 589.400 to 589.425 is guilty of a class A misdemeanor, **unless the person has been convicted pursuant to chapter 566 of an unclassified felony, class A felony, class B felony, or any felony involving a child under the age of fourteen, in which case the person is guilty of a class D felony.**

2. Any person who commits a second or subsequent violation of subsection 1 of this section is guilty of a class D felony, **unless the person has been convicted pursuant to chapter 566 of an unclassified felony, class A felony, class B felony, or any felony involving a child under the age of fourteen, in which case the person is guilty of a class C felony.**”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1055, Page 1, Section 43.651, Lines 7-10, by removing said section and further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1055, Page 6, Section 566.147, Line 26, by inserting at the end of said line the following:

“566.200. As used in sections 566.200 to 566.221, the following terms shall mean:

(1) “Basic rights information”, information applicable to a noncitizen, including information about human rights, immigration, and emergency assistance and resources;

(2) “Client”, a person who is a resident of the United States and the state of Missouri and who contracts with an international matchmaking organization to meet recruits;

(3) “Coercion”,

(a) Threats of substantial bodily harm to or physical restraint against any person;

(b) Any scheme, plan, or pattern of behavior intended to cause a person to believe that failure to perform an act will result in substantial bodily harm to or physical restraint against any person; or

(c) The abuse or threatened abuse of the legal process;

(4) “Commercial sex act”, any sex act on account of which anything of value is given to or received by any person;

(5) “Criminal history record information”, criminal history record information, including information provided in a criminal background check, obtained from the Missouri state highway patrol and the Federal Bureau of Investigation;

(6) “International matchmaking organization”, a corporation, partnership, or other legal entity, whether or not organized pursuant to the laws of the United States or any state, that does business in the United States and for-profit offers to residents of Missouri, dating, matrimonial, or social referral services involving citizens of a foreign country or countries who are not residing in the United States. Such business shall include, but is not limited to, the exchange of names, telephone numbers, addresses, or statistics, the selection of photographs, and creating a social environment provided by the organization in a country other than the United States. Such business shall not include a traditional matchmaking organization of a religious nature that otherwise operates in compliance with the laws of the countries of the recruits by such organization and the laws of the United States, or an organization that does not charge a fee to any party for the services provided;

(7) “Involuntary servitude”, a condition of servitude induced by means of:

(a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or

(b) The abuse or threatened abuse of the legal process;

(8) "Marital history information", a declaration of the person's current marital status, the number of times the person has previously been married, and whether any previous marriages occurred as a result of service from an international matchmaking organization;

(9) "Recruit", a non-citizen, non-resident, recruited by an international matchmaking organization for the purpose of providing dating, matrimonial, or social referral services.

566.203. 1. A person commits the crime of abusing an individual through forced labor by knowingly providing or obtaining the labor or services of a person:

(1) By threats of serious harm or physical restraint against such person or another person;

(2) By means of any scheme, plan, or pattern of behavior intended to cause such person to believe that, if the person does not perform the labor services, the person or another person will suffer substantial bodily harm or physical restraint; or

(3) By means of the abuse or threatened abuse of the law or the legal process.

2. A person who pleads guilty to or is found guilty of the crime of abuse through forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of abuse through forced labor is a class B felony.

566.206. 1. A person commits the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor if a person knowingly recruits, harbors, transports, provides, or obtains by any means, another person for labor or services.

2. A person who pleads guilty to or is found guilty of the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a class B felony.

566.209. 1. A person commits the crime of trafficking for the purposes of sexual exploitation if a person knowingly recruits, transports, provides, or obtains by any means, another person for the use or employment of such person in sexual conduct as defined in section 556.061, RSMO, without his or her consent.

2. The crime of trafficking for the purposes of sexual exploitation is a class B felony.

566.212. 1. A person commits the crime of sexual trafficking of a child if the individual knowingly:

(1) Recruits, entices, harbors, transports, provides, or obtains by any means a person under the age of eighteen to participate in a commercial sex act or benefits, financially or by receiving anything of value, from participation in such activities; or

(2) Causes a person under the age of eighteen to engage in a commercial sex act.

2. It shall not be an affirmative defense that the defendant believed that the person was eighteen years of age or older.

3. The crime of sexual trafficking of a child is a class A felony if the child is under the age of eighteen.

566.215. 1. A person commits the crime of contributing to human trafficking through the misuse of documentation when the individual knowingly:

(1) Destroys, conceals, removes, confiscates, or possesses a valid or purportedly valid passport, government identification document, or other immigration document of another person while committing crimes or with the intent to commit crimes, pursuant to sections 566.200 to 566.221; or

(2) Prevents, restricts, or attempts to prevent or restrict, without lawful authority, a person's ability to move or travel by restricting the proper use of identification, in order to maintain the labor or services of a person, who is the victim of a crime committed pursuant to sections 566.200 to 566.221.

2. A person who pleads guilty to or is found guilty of the crime of contributing to human trafficking through the misuse of documentation shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

3. The crime of contributing to human trafficking through the misuse of documentation is a class D felony.

566.218. A court sentencing an offender convicted of violating the provisions of sections 566.203, 566.206, 566.209, 566.212, and 566.215, shall order the offender to pay restitution to the victim of the offense.

566.221. 1. An international matchmaking organization shall provide notice to each recruit that the

criminal history record information and marital history information of clients and basic rights information are available. The notice of the availability of such information must be in a conspicuous location, in the recruit's native language, in lettering that is at least one-quarter of an inch in height, and presented in a manner that separates the different types of information available.

2. An international matchmaking organization shall disseminate to a recruit the criminal history record information and marital history information of a client and basic rights information no later than thirty days after the date the international matchmaking organization receives the criminal history record information and the marital history information on the client. Such information must be provided in the recruit's native language and the organization shall pay the costs incurred to translate the information.

3. A client of an international matchmaking organization shall:

- (1) Obtain a copy of his or her own criminal history record information;
- (2) Provide the criminal history record information to the international matchmaking organization; and
- (3) Provide to the international matchmaking organization his or her own marital history information.

4. An international matchmaking organization shall require the client to affirm that the marital history information is complete and accurate and includes information regarding marriages, annulments, and dissolutions that occurred in another state or foreign country.

5. An international matchmaking organization shall not provide any further services to the client or the recruit until the organization has obtained the requested criminal history record information and marital history information and provided the information to the recruit.

6. An international matchmaking organization shall be deemed to be doing business in Missouri if it contracts for matchmaking services with a Missouri resident or is considered to be doing business pursuant to other laws of the state.

7. A person who pleads guilty to or is found guilty of violating the provisions of this section shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo.

8. It shall be a class D felony to wilfully provide incomplete or false information pursuant to this section.

9. Failure to provide the information and notice required pursuant to this section shall be a class D felony.

566.223. Any individual who is alleging that a violation of sections 566.200 to 566.221 has occurred against his or her person, shall be afforded the rights and protections provided in the federal Trafficking Victims Protection Act of 2000, Public Law 106-386, as amended.

567.030. 1. A person commits the crime of patronizing prostitution if he patronizes prostitution.

2. It shall not be an affirmative defense that the defendant believed that the person he or she patronized for prostitution was eighteen years of age or older.

3. Patronizing prostitution is a class B misdemeanor, unless the individual who the person is patronizing is under the age of eighteen but older than the age of fourteen, in which case patronizing prostitution is a class A misdemeanor.

4. Patronizing prostitution is a class D felony if the individual who the person patronizes is fourteen years of age or younger.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1055, Page 1, Section 43.651, Line 10 of said page, by inserting after all of said line the following:

“50.550. 1. The annual budget shall present a complete financial plan for the ensuing budget year. It shall set forth all proposed expenditures for the administration, operation and maintenance of all offices, departments, commissions, courts and institutions; the actual or estimated operating deficits or surpluses from prior years; all interest and debt redemption charges during the year and expenditures for capital projects.

2. The budget shall contain adequate provisions for the expenditures necessary for the care of insane pauper patients in state hospitals, for the cost of holding elections and for the costs of holding circuit court in the county that are chargeable against the county, for the repair and upkeep of bridges other than on state highways and not in any special road district, and for the salaries, office expenses and deputy and clerical hire of all county officers and agencies.

3. In addition, the budget shall set forth in detail the anticipated income and other means of financing the proposed expenditures.

4. All receipts of the county for operation and maintenance shall be credited to the general fund, and all expenditures for these purposes shall be charged to this fund; except, that receipts from the special tax levy for roads and bridges shall be kept in a special fund and expenditures for roads and bridges may be charged to the special fund.

5. All receipts from the sale of bonds for any purpose shall be credited to the bond fund created for the purpose, and all expenditures for this purpose shall be charged to the fund. All receipts for the retirement of any bond issue shall be credited to a retirement fund for the issue, and all payments to retire the issue shall be charged to the fund. All receipts for interest on outstanding bonds and all premiums and accrued interest on bonds sold shall be credited to the interest fund, and all payments of interest on the bonds shall be charged to the interest fund.

6. Subject to the provisions of section 50.565 the county commission may create a fund to be known as "The County Law Enforcement Restitution Fund".

7. The county commission may create other funds as are necessary from time to time.

50.565. 1. A county commission may establish by ordinance or order a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county law enforcement restitution fund and shall be under the supervision of a board of trustees consisting of two citizens of the county appointed by the presiding commissioner of the county, two citizens of the county appointed by the sheriff of the county, and one citizen of the county appointed by the county coroner or medical examiner. The citizens so appointed shall not be current or former employees of the sheriff's department, the office of the prosecuting attorney for the county, or the county treasurer's office. If a county does not have a coroner or medical examiner, the county treasurer shall appoint one citizen to the board of trustees.

2. Money from the county law enforcement restitution fund shall only be expended upon the approval of a majority of the members of the county law enforcement restitution fund's board of trustees and only for the purposes provided for by subsection 3 of this section.

3. Money from the county law enforcement restitution fund shall only be expended for the following purposes:

- (1) Narcotics investigation, prevention, and intervention;**
- (2) Purchase of law enforcement related equipment and supplies for the sheriff's office;**
- (3) Matching funds for federal or state law enforcement grants;**
- (4) Funding for the reporting of all state and federal crime statistics or information; and**
- (5) Any law enforcement related expense, including those of the prosecuting attorney, approved by the board of trustees for the county law enforcement restitution fund that is reasonably related to investigation, charging, preparation, trial, and disposition of criminal cases before the courts of the state of Missouri.**

4. The county commission may not reduce any law enforcement agency's budget as a result of funds the law enforcement agency receives from the county law enforcement restitution fund. The restitution fund is to be used only as a supplement to the law enforcement agency's funding received from other county, state, or federal funds.

5. County law enforcement restitution funds shall be audited as are all other county funds.

6. No court may order the assessment and payment authorized by this section if the plea of guilty or the finding of guilt is to the charge of speeding, careless and imprudent driving, any charge of violating a traffic control signal or sign, or any charge which is a class C misdemeanor or an infraction. No assessment and payment ordered pursuant to this section may exceed three hundred dollars for any charged offense."; and

Further amend said bill, Page 2, Section 556.037, Line 2, by inserting after all of said line the following:

"558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, RSMo, section 558.018 or section 571.015, RSMo, which set minimum terms of sentences, or the provisions of section 559.115, RSMo, relating to probation.

2. The provisions of subsections 2 to 5 of this section shall be applicable to all classes of felonies except those set forth in chapter 195, RSMo, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of an offender after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378, RSMo. Other provisions of the law to the contrary notwithstanding, any offender who has pleaded guilty to or has been found guilty of a felony other than a

dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the offender has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the offender must serve shall be forty percent of his or her sentence or until the offender attains seventy years of age, and has served at least thirty percent of the sentence imposed, whichever occurs first;

(2) If the offender has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be fifty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the offender has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be eighty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any offender who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the offender before he or she is eligible for parole, conditional release or other early release by the department of corrections. Except that the board of probation and parole, in the case of consecutive sentences imposed at the same time pursuant to a course of conduct constituting a common scheme or plan, shall be authorized to convert consecutive sentences to concurrent sentences, when the board finds, after hearing with notice to the prosecuting or circuit attorney, that the sum of the terms results in an unreasonably excessive total term, taking into consideration all factors related to the crime or crimes committed and the sentences received by others similarly situated.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members shall be appointed to a four-year term. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for offenders convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor sentences are comparable to other states, if the length of the sentence is appropriate, and the rate of rehabilitation based on sentence. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

(a) The nature and severity of each offense;

(b) The record of prior offenses by the offender;

(c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime;

and

(d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4) The commission shall study alternative sentences, prison work programs, work release, home-based incarceration, probation and parole options, and any other programs and report the feasibility of these options in Missouri.

(5) The commission shall publish and distribute its recommendations on or before July 1, 2004. The commission shall study the implementation and use of the recommendations until July 1, 2005, and return a report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 2005, report, the commission shall revise the recommended sentences every two years.

(6) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(7) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(8) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. Courts shall retain discretion to lower or exceed the sentence recommended by the commission as otherwise allowable by law, and to order restorative justice methods, when applicable.

8. If the imposition or execution of a sentence is suspended, the court may order any or all of the following restorative justice methods, or any other method that the court finds just or appropriate:

(1) Restitution to any victim **or a statutorily created fund** for costs incurred as a result of the offender's actions;

(2) Offender treatment programs;

(3) Mandatory community service;

(4) Work release programs in local facilities; and

(5) Community-based residential and nonresidential programs.

9. The provisions of this section shall apply only to offenses occurring on or after August 28, 2003.

10. Pursuant to subdivision (1) of subsection 8 of this section, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565, RSMo. Such contribution shall not exceed two hundred seventy-five dollars for any charged offense. Any restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565, RSMo.

11. A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a defendant to make payment.

12. A defendant who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

559.021. 1. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the defendant will not again violate the law. When a defendant is placed on probation he shall be given a certificate explicitly stating the conditions on which he is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order such conditions as the court believes will serve to compensate the victim, any dependent of the victim, **any statutorily created fund for costs incurred as a result of the offender's actions**, or society. Such conditions may include **restorative justice methods pursuant to section 217.777, RSMo, or any other method that the court finds just or appropriate including**, but [shall] not [be] limited to:

(1) Restitution to the victim or any dependent of the victim, **or statutorily created fund for costs incurred as a result of the offender's actions** in an amount to be determined by the judge; [and]

(2) The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the judge;

(3) **Offender treatment programs;**

(4) **Work release programs in local facilities; and**

(5) Community-based residential and nonresidential programs.

3. The defendant may refuse probation conditioned on the performance of free work. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the defendant or any person deriving a cause of action from him if such cause of action arises from such supervision of performance, except for an intentional tort or gross negligence. The services performed by the defendant shall not be deemed employment within the meaning of the provisions of chapter 288, RSMo. A defendant performing services pursuant to this section shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo.

4. In addition to such other authority as exists to order conditions of probation, in the case of a plea of guilty or a finding of guilt, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565, RSMo. Such contribution shall not exceed two hundred seventy-five dollars for any charged offense. Any restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565, RSMo.

5. A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a defendant to make payment.

6. A defendant who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

7. The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1055, Page 1, Section A, Line 6 of said page, by inserting after all of said line the following:

"43.540. 1. As used in this section, the following terms mean:

(1) "Authorized state agency", a division of state government or an office of state government designated by the statutes of Missouri to issue or renew a license, permit, certification, or registration of authority to a qualified entity;

(2) "Care", the provision of care, treatment, education, training, instruction, supervision, or recreation;

(3) "Missouri criminal record review", a review of criminal history records [or] **and** sex offender registration records pursuant to sections 589.400 to 589.425, RSMo, maintained by the Missouri state highway patrol in the Missouri criminal records repository;

(4) "National criminal record review", a review of the criminal history records maintained by the Federal Bureau of Investigation;

(5) "Patient or resident", a person who by reason of age, illness, disease or physical or mental infirmity receives or requires care or services furnished by a provider, as defined in this section, or who resides or boards in, or is otherwise kept, cared for, treated or accommodated in a facility as defined in section 198.006, RSMo, for a period exceeding twenty-four consecutive hours;

(6) "Provider", a person who:

(a) Has or may have unsupervised access to children, the elderly, or persons with disabilities; and

(b) Is employed by or seeks employment with a qualified entity; or

(c) Volunteers or seeks to volunteer with a qualified entity; or

(d) Owns or operates a qualified entity;

(7) "Qualified entity", a person, business, or organization, whether public or private, for profit, not for profit, or voluntary, that provides care, placement, or educational services for children, the elderly, or persons with disabilities as patients or residents, including a business or organization that licenses or certifies others to provide care or placement services;

(8) "Youth services agency", any public or private agency, school, or association which provides programs, care or treatment for or which exercises supervision over minors.

2. A qualified entity may obtain a Missouri criminal record review of a provider from the highway patrol by furnishing information on forms and in the manner approved by the highway patrol.

3. A qualified entity may request a Missouri criminal record review and a national criminal record review of a provider through an authorized state agency. No authorized state agency is required by this section to process Missouri or national criminal record reviews for a qualified entity, however, if an authorized state agency agrees to process Missouri and national criminal record reviews for a qualified entity, the qualified entity shall provide to the authorized state agency on forms and in a manner approved by the highway patrol the following:

- (1) Two sets of fingerprints of the provider;
- (2) A statement signed by the provider which contains:
 - (a) The provider's name, address, and date of birth;
 - (b) Whether the provider has been convicted of or has pled guilty to a crime which includes a suspended imposition of sentence;
 - (c) If the provider has been convicted of or has pled guilty to a crime, a description of the crime, and the particulars of the conviction or plea;
 - (d) The authority of the qualified entity to check the provider's criminal history;
 - (e) The right of the provider to review the report received by the qualified entity; and
 - (f) The right of the provider to challenge the accuracy of the report. If the challenge is to the accuracy of the criminal record review, the challenge shall be made to the highway patrol.

4. The authorized state agency shall forward the required forms and fees to the highway patrol. The results of the record review shall be forwarded to the authorized state agency who will notify the qualified entity. The authorized state agency may assess a fee to the qualified entity to cover the cost of handling the criminal record review and may establish an account solely for the collection and dissemination of fees associated with the criminal record reviews.

5. Any information received by an authorized state agency or a qualified entity pursuant to the provisions of this section shall be used solely for internal purposes in determining the suitability of a provider. The dissemination of criminal history information from the Federal Bureau of Investigation beyond the authorized state agency or related governmental entity is prohibited. All criminal record check information shall be confidential and any person who discloses the information beyond the scope allowed is guilty of a class A misdemeanor.

6. The highway patrol shall make available or approve the necessary forms, procedures, and agreements necessary to implement the provisions of this section."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1288**, entitled:

An act to repeal section 301.566, RSMo, and to enact in lieu thereof eight new sections relating to contractual agreements between manufacturers and other merchants.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1288, Page 15, Section 407.1368, Line 16, by striking "five" and inserting in lieu thereof "**ten**".

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SSA 1 to SA 1 to HCS HB 1617** and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS HB 1617: Representatives Hanaway, Lipke, Ruestman, Burnett and Carnahan.

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 952, relating to the Kansas City police officers, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **SCS SB 952** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

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NOES: 001

Harris 110

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 007

Avery	Henke	Kelly 144	Taylor	Vogt
Wagner	Ward			

Speaker Hanaway declared the bill passed.

SB 1285, relating to motor vehicle transaction fees, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **SB 1285** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Threlkeld	Townley	Viebrock	Villa	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

Hoskins Selby Thompson

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery Brooks Taylor Vogt Wagner
Ward

Speaker Hanaway declared the bill passed.

HCS SB 1299, relating to residential property insurance, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **HCS SB 1299** was adopted.

On motion of Representative Luetkemeyer, **HCS SB 1299** was read the third time and passed by the following vote:

AYES: 145

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 23	Haywood	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

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NOES: 010

Bringer	Burnett	Darrough	Green	Harris 110
Henke	Selby	Skaggs	Walker	Young

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brooks	Cooper 120	Smith 118	Taylor
Vogt	Wagner	Ward		

Speaker Hanaway declared the bill passed.

SB 1302, relating to a conveyance in Greene County, was taken up by Representative Morris.

On motion of Representative Morris, **SB 1302** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brooks	Schlottach	Smith 118	Taylor
Vogt	Wagner	Ward	Zweifel	

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 004

Darrough	Johnson 61	Walker	Yaeger
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PRESENT: 001

Harris 23

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ABSENT WITH LEAVE: 008

Avery	Brooks	Cooper 120	Smith 118	Taylor
Vogt	Wagner	Ward		

SCS SB 1304, relating to a special allocation fund, was taken up by Representative Lembke.

On motion of Representative Lembke, **SCS SB 1304** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

El-Amin

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brooks	Smith 118	Taylor	Vogt
Wagner	Ward			

Speaker Hanaway declared the bill passed.

SB 1320, relating to depositaries of state institutions, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SB 1320** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Iceet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Walker	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

El-Amin

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brooks	Smith 118	Taylor	Vogt
Wagner	Ward			

Speaker Hanaway declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HBs 1071, 801, 1275 & 989, relating to land conveyances, was taken up by Representative Goodman.

On motion of Representative Goodman, **SCS HBs 1071, 801, 1275 & 989** was adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brooks	Smith 118	Taylor	Vogt
Wagner	Ward	Zweifel		

On motion of Representative Goodman, **SCS HBs 1071, 801, 1275 & 989** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Brooks	Crawford	Goodman	Meadows
Salva	Smith 118	Taylor	Vogt	Wagner
Ward				

Speaker Hanaway declared the bill passed.

The emergency clause adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow

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Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brooks	Smith 118	Taylor	Vogt
Wagner	Ward			

SCS HB 938, relating to annuity contracts, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SCS HB 938** was adopted by the following vote:

AYES: 142

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Guest	Hampton	Harris 110	Harris 23
Haywood	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer

Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Threlkeld	Townley
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 013

Bringer	Donnelly	Green	Henke	Hoskins
Johnson 90	Jones	Thompson	Walker	Whorton
Wildberger	Wilson 25	Yaeger		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 007

Avery	Brooks	Smith 118	Taylor	Vogt
Wagner	Ward			

On motion of Representative Luetkemeyer, **SCS HB 938** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Jolly	Kelly 144	Kelly 36	King
Kingery	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 14

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Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Threlkeld	Townley	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Willoughby
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 020

Boykins	Bringer	Burnett	Darrough	Donnelly
Green	Harris 110	Henke	Hoskins	Johnson 61
Johnson 90	Jones	Kratky	Selby	Thompson
Walker	Whorton	Wildberger	Wilson 25	Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brooks	Schneider	Smith 118	Taylor
Vogt	Wagner	Ward		

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Brooks	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	George	Goodman	Graham	Guest
Hampton	Harris 23	Haywood	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Jolly	Kelly 144	King
Kingery	Kuessner	Lager	Lawson	Lembke
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Viebrock	Villa	Wallace
Wasson	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Zweifel	Madam Speaker	

NOES: 039

Bishop	Boykins	Bringer	Burnett	Corcoran
Curls	Darrough	Donnelly	El-Amin	Fraser
Green	Harris 110	Henke	Hoskins	Johnson 61
Johnson 90	Jones	Kelly 36	Kratky	LeVota

Liese	Meadows	Muckler	Salva	Schoemehl
Selby	Skaggs	Swinger	Thompson	Walker
Walsh	Walton	Whorton	Wildberger	Willoughby
Wilson 25	Witte	Yaeger	Young	

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Taylor	Vogt	Wagner	Ward
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Representative Cooper (120) assumed the Chair.

Speaker Hanaway resumed the Chair.

SCS HS HCS HB 1290, relating to income tax refund designations, was taken up by Representative Portwood.

On motion of Representative Portwood, **SCS HS HCS HB 1290** was adopted by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Threlkeld	Townley
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

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NOES: 004

Hoskins	Thompson	Walker	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Boykins	Brooks	Johnson 61	Miller
Taylor	Vogt	Wagner	Ward	

On motion of Representative Portwood, **SCS HS HCS HB 1290** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 003

Hoskins	Walker	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brooks	El-Amin	Taylor	Vogt
Wagner	Ward			

Speaker Hanaway declared the bill passed.

SCS HB 822, relating to amateur radio antenna regulations, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SCS HB 822** was adopted by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Walker	Wallace	Walton
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 002

Walsh	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Brooks	El-Amin	Johnson 47	Meiners
Pearce	Shoemaker	Taylor	Vogt	Wagner
Ward	Young			

On motion of Representative Luetkemeyer, **SCS HB 822** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Walker	Wallace
Walton	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 004

Darrough	Henke	Walsh	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brooks	Byrd	Johnson 47	Taylor
Vogt	Wagner	Ward	Young	

Speaker Hanaway declared the bill passed.

SCS HCS HB 1321, relating to neighborhood improvement districts, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **SCS HCS HB 1321** was adopted by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Thompson	Threlkeld
Townley	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 003

Daus	Kelly 144	Villa
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PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Brooks	Harris 23	Meiners	Taylor
Viebrock	Vogt	Wagner	Ward	Willoughby

On motion of Representative Schaaf, **SCS HCS HB 1321** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George

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Goodman	Graham	Green	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Walker	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 003

Daus	Kelly 144	Villa
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brooks	Harris 23	Taylor	Vogt
Wagner	Ward	Willoughby		

Speaker Hanaway declared the bill passed.

SCS HCS HB 1456 and HB 824, relating to a transient guest tax, was taken up by Representative Black.

On motion of Representative Black, **SCS HCS HB 1456 and HB 824** was adopted by the following vote:

AYES: 140

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Darrough	Daus	Davis 122	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Engler	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36

King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Threlkeld	Townley
Viebrock	Villa	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Wildberger	Wilson 119
Wilson 130	Wilson 25	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 014

Brown	Cunningham 86	Davis 19	Dusenberg	Ervin
Green	Hoskins	Hubbard	Hunter	Kelly 144
LeVota	Pratt	Roark	Thompson	

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brooks	Harris 23	Taylor	Vogt
Wagner	Ward	Willoughby	Wilson 42	

On motion of Representative Black, **SCS HCS HB 1456 and HB 824** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Daus	Davis 122	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	El-Amin
Emery	Engler	Fares	Fraser	George
Goodman	Graham	Guest	Hampton	Harris 110
Haywood	Henke	Hilgemann	Hobbs	Holand
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
Liese	Lipke	Lowe	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Purgason	Ransdall	Rector	Reinhart
Richard	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge

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Stefanick	Stevenson	Sutherland	Swinger	Threlkeld
Townley	Viebrock	Villa	Walker	Walsh
Walton	Wasson	Whorton	Wildberger	Wilson 119
Wilson 130	Wilson 25	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 016

Brown	Cunningham 86	Darrough	Davis 19	Dusenberg
Ervin	Green	Hoskins	Hubbard	Hunter
Kelly 144	LeVota	Pratt	Quinn	Roark
Thompson				

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Brooks	Harris 23	Kuessner	Luetkemeyer
Taylor	Vogt	Wagner	Wallace	Ward
Willoughby	Wilson 42			

Speaker Hanaway declared the bill passed.

SCS HCS HB 1136, relating to disposition of human fetuses, was taken up by Representative Rupp.

On motion of Representative Rupp, **SCS HCS HB 1136** was adopted by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland

Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Wilson 25	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brooks	Portwood	Taylor	Vogt
Wagner	Ward	Willoughby	Wilson 42	

On motion of Representative Rupp, **SCS HCS HB 1136** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrouh	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery
Vogt

Brooks
Wagner

Kelly 144
Ward

Portwood
Willoughby

Taylor

Speaker Hanaway declared the bill passed.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1008**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1008 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1008.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1008.
3. That the attached Conference Committee Substitute for House Bill No. 1008, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields
/s/ Sen. Wayne Goode
/s/ Sen. Pat Dougherty

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Allen Icet
/s/ Rep. Frank Barnitz
/s/ Rep. Ed Wildberger

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1011**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1011 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1011.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1011.
3. That the attached Conference Committee Substitute for House Bill No. 1011, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell
/s/ Sen. Chuck Gross
/s/ Sen. Charles W. Shields

FOR THE HOUSE:

/s/ Rep. Carl Bearden
/s/ Rep. Brad Lager
/s/ Rep. Allen Icet
/s/ Rep. Marsha Campbell
/s/ Rep. Sharon Sanders Brooks

BILLS IN CONFERENCE

CCR SCS HS HCS HB 1008, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1008** was adopted by the following vote:

AYES: 137

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls

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Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Thompson	Threlkeld	Townley	Viebrock
Villa	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 018

Bishop	Bringer	Burnett	Daus	Donnelly
Green	Harris 23	Hoskins	Johnson 90	LeVota
Ransdall	Roark	Sager	Swinger	Wilson 25
Witte	Yaeger	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brooks	Lowe	Schneider	Taylor
Vogt	Wagner	Ward		

On motion of Representative Bearden, **CCS SCS HS HCS HB 1008** was read the third time and passed by the following vote:

AYES: 137

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bough	Boykins	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese

Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Thompson	Threlkeld	Townley	Viebrock
Villa	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yates
Young	Madam Speaker			

NOES: 018

Bishop	Bringer	Burnett	Daus	Donnelly
Green	Harris 23	Hoskins	Johnson 90	LeVota
Ransdall	Roark	Sager	Swinger	Wilson 25
Witte	Yaeger	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brooks	Lowe	Schneider	Taylor
Vogt	Wagner	Ward		

Speaker Hanaway declared the bill passed.

Representative Goodman assumed the Chair.

CCR SCS HS HCS HB 1011, as amended, relating to appropriations, was taken up by Representative Bearden.

Representative Sager raised a point of order that, pursuant to Rule 84, no member shall name another member in debate.

Representative Goodman requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Pro Tem Jetton resumed the Chair.

Representative Willoughby raised a point of order that the debate went beyond the scope of the Conference Committee Report.

The Chair ruled the point of order not well taken.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1011, as amended**, was adopted by the following vote:

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AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Ruestman	Rupp	Sander
Schaaf	Schlottach	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 065

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	McKenna	Meadows	Muckler
Page	Ransdall	Roark	Sager	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Walker	Walsh
Walton	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 002

Campbell	Lowe
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ABSENT WITH LEAVE: 011

Avery	Carnahan	Hampton	Meiners	Salva
Schneider	Taylor	Viebrock	Vogt	Wagner
Ward				

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **CCR SCS HS HCS HB 1011, as amended.**

On motion of Representative Bearden, **CCS SCS HS HCS HB 1011** was read the third time and passed by the following vote:

AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns

Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Self	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Roark
Sager	Salva	Schoemehl	Seigfreid	Selby
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Walker	Walsh	Walton	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 002

Campbell	Lowe
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ABSENT WITH LEAVE: 008

Avery	Carnahan	Shoemaker	Taylor	Viebrock
Vogt	Wagner	Ward		

Speaker Pro Tem Jetton declared the bill passed.

Representative Engler requested a verification of the roll call on the motion to third read and pass **CCS SCS HS HCS HB 1011**.

Speaker Hanaway resumed the Chair.

CCR SCS HS HCS HB 1012, as amended, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **CCR SCS HS HCS HB 1012, as amended** was adopted by the following vote:

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AYES: 085

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 069

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Corcoran	Cunningham 86
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Roark	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Spreng	Swinger
Thompson	Villa	Walker	Walsh	Walton
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Avery	Carnahan	Shoemaker	Taylor
Viebrock	Vogt	Wagner	Ward	

Representative Wallace requested a verification of the roll call on the motion to adopt **CCR SCS HS HCS HB 1012, as amended.**

On motion of Representative Bearden, **CCS SCS HS HCS HB 1012** was read the third time and passed by the following vote:

AYES: 084

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Davis 19	Deeken	Dempsey	Dethrow

Dixon	Dusenberg	Emery	Engler	Ervin
Fares	Goodman	Guest	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Threlkeld
Townley	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 070

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Corcoran	Cunningham 86
Curls	Darrough	Daus	Davis 122	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Roark	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Walker	Walsh
Walton	Whorton	Wildberger	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Avery	Carnahan	Shoemaker	Taylor
Viebrock	Vogt	Wagner	Ward	

Speaker Hanaway declared the bill passed.

Representative Yates requested a verification of the roll call on the motion to third read and pass **CCS SCS HS HCS HB 1012**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 700 - Budget (Fiscal Note)

COMMITTEE REPORTS

Committee on Communications, Energy and Technology, Chairman Rector reporting:

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **SCS SB 961**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Madam Speaker: Your Committee on Communications, Energy and Technology, to which was referred **SCS SB 1116**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Conservation and Natural Resources, Chairman Townley reporting:

Madam Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SB 1153**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

House Committee Amendment No. 1

AMEND Senate Bill No. 1153, Page 1, Section 252.250, Line 3 of said section, by inserting after the words “state of Missouri” the following:

“under regulation by the Missouri Department of Conservation”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SCR 36**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 36

WHEREAS, underage drinking is an issue of concern to the citizens of our state; and

WHEREAS, research indicates teenagers and their parents are not well informed about the legal, social, and other consequences of underage drinking; and

WHEREAS, underage drinking may lead to social disruption, individual impairment and emotional maladjustment with tragic consequences:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create a Joint Interim Committee on Underage Drinking; and

BE IT FURTHER RESOLVED that the joint interim committee shall study the current public and private efforts to combat underage drinking, evaluate their effectiveness, and make recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the joint interim committee be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of eight members, of which four shall be members of the Senate appointed by the President Pro Tem of the Senate, of which at least two shall be members of the minority party; and four shall be members of the House of Representatives, of which two shall be appointed by the Speaker of the House of Representatives and two of which shall be members of the minority party appointed by the Minority Floor Leader, with approval of the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the members of the joint interim committee shall be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the joint interim committee shall expire on December 31, 2004, and on that same date deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate and the Speaker of the House of Representatives.

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 972**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 807**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Local Government, Chairman Johnson (47) reporting:

Madam Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 1183**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SBs 1027 & 896**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 41

WHEREAS, good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health; and

WHEREAS, direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially today with the great potential for the cross-border spread of various infectious diseases such as the human immunodeficiency virus (HIV), tuberculosis, and malaria; and

WHEREAS, Taiwan's population of 23,500,000 people is greater than three-fourths of the member states already in the World Health Organization (WHO); and

WHEREAS, Taiwan's achievements in the field of health are substantial, including:

(1) Attaining one of the highest life expectancy levels in Asia, and maternal and infant mortality rates comparable to those of western countries; and

(2) Eradicating such infectious diseases as cholera, smallpox, the plague, and polio; and

(3) Providing children with hepatitis B vaccinations; and

WHEREAS, the United States Centers for Disease Control and Prevention and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, in recent years Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the WHO; and

WHEREAS, on January 14, 2001, an earthquake, registering between 7.6 and 7.9 of the Richter scale, struck El Salvador. In response, the Taiwanese Government sent two rescue teams, consisting of ninety individuals specializing in firefighting, medicine, and civil engineering. The Taiwanese Ministry of Foreign Affairs also donated \$200,000 in relief aid to the Salvadoran Government; and

WHEREAS, the World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950s; and

WHEREAS, the United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, in light of all benefits that Taiwan's participation in WHO can bring to the state of health not only in Taiwan, but also regionally and globally, Taiwan and its 23,500,000 people should have appropriate and meaningful participation in the WHO; and

WHEREAS, in 2003, the outbreak of Severe Acute Respiratory Syndrome (SARS) caused 73 deaths in Taiwan; and

WHEREAS, avian influenza, commonly known as bird flu, has reemerged in Asia, with strains of the influenza reported by the People's Republic of China, Cambodia, Indonesia, Japan, Pakistan, South Korea, Taiwan, Thailand, Vietnam, and Laos; and

WHEREAS, the SARS and avian influenza outbreaks illustrate that disease knows no boundaries and emphasize the importance of allowing all people access to the WHO; and

WHEREAS, as the pace of globalization quickens and the spread of infectious disease accelerates, it is crucial that all people, including the people of Taiwan, be given the opportunity to participate in international health organizations such as the WHO:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate concurring therein, hereby support observer status for Taiwan at the annual week-long summit of the World Health Assembly (WHA) held by the World Health Organization (WHO) in May of each year in Geneva, Switzerland; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the World Health Organization.

Committee on Small Business, Chairman St. Onge reporting:

Madam Speaker: Your Committee on Small Business, to which was referred **HB 1678**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Tax Policy, Chairman Cooper (120) reporting:

Madam Speaker: Your Committee on Tax Policy, to which was referred **SB 1394**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SB 710**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HB 1021**, entitled:

An act to appropriate money for planning, expenses, and for capital improvements including, but not limited to, major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HB 1193**, entitled:

An act to repeal sections 486.225, 486.235, 486.240, 486.260, 486.265, 486.280, 486.285, 486.295, 486.300, 486.310, 486.315, 486.330, 486.335, 486.340, 486.345, 486.350, 486.385 and 486.395, RSMo, and to enact in lieu thereof nineteen new sections relating to notaries public, with penalty provisions

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS HB 1617, as amended**: Senators Bartle, Yeckel, Scott, Caskey and Kennedy.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1006** and has taken up and passed **CCS SCS HS HCS HB 1006**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1007, as amended**, and has taken up and passed **CCS SCS HS HCS HB 1007**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 769** and has taken up and passed **HCS SB 769**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SB 870, as amended** and has taken up and passed **HS HCS SB 870, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SCS SB 901** and has taken up and passed **SCS SB 901, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SBs 942, 850 & 841** and has taken up and passed **HCS SCS SBs 942, 850 & 841**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 945, SB 803 and SB 1257** and has taken up and passed **HCS SCS SB 945, SB 803 and SB 1257**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1093** and has taken up and passed **HCS SCS SB 1093**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 978**

The Conference Committee appointed on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 978;
3. That the attached Conference Committee Substitute for Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Anita Yeckel
/s/ Sen. Gary Nodler
/s/ Sen. Delbert Scott
/s/ Sen. Maida Coleman
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Neal St. Onge
/s/ Rep. Brian Baker
/s/ Rep. Richard Byrd
/s/ Rep. James Seigfreid
/s/ Rep. Trent Skaggs

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Friday, May 7, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-third Day, Wednesday, May 5, 2004, Page 1454, roll call, by showing Representative Salva voting "no" rather than "absent with leave".

AFFIDAVITS

I, State Representative Richard Byrd, District 94, hereby state and affirm that my vote as recorded on Page 1461 of the House Journal for Wednesday, May 5, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of May 2004.

/s/ Richard Byrd
State Representative

[illegible]

Subscribed and sworn to before me this 6th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Cunningham, District 145, hereby state and affirm that my vote as recorded on Page 1442 of the House Journal for Wednesday, May 5, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of May 2004.

/s/ Mike Cunningham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my vote as recorded on Page 1461 of the House Journal for Wednesday, May 5, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of May 2004.

/s/ Steve Hunter
State Representative

[illegible]

Subscribed and sworn to before me this 6th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Charles Portwood, District 92, hereby state and affirm that my vote as recorded on Page 1441 of the House Journal for Wednesday, May 5, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of May 2004.

/s/ Charles Portwood
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dan Ward, District 107, hereby state and affirm that my vote as recorded on Page 1463 of the House Journal for Wednesday, May 5, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of May 2004.

/s/ Dan Ward
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Friday, May 7, 2004, 8:30 a.m. Hearing Room 1.

Accounts Committee Resolution #12. Audit review.

Executive session may follow.

BUDGET

Friday, May 7, 2004, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review. AMENDED

BUDGET

Tuesday, May 11, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

BUDGET

Wednesday, May 12, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

BUDGET

Thursday, May 13, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

BUDGET

Friday, May 14, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

CONFERENCE COMMITTEE NOTICE

Friday, May 7, 2004, 8:00 a.m. Hearing Room 7.

Conference Committee SCS HCS HB 1305.

SPECIAL COMMITTEE ON GENERAL LAWS

Friday, May 7, 2004, House Chamber side gallery upon morning adjournment.

Executive session.

HOUSE CALENDAR

SIXTY-FIFTH DAY, FRIDAY, MAY 7, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)

2 HCS HB 1380 - Lager (4)

3 HB 1092 - Deeken (114)

- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)
- 20 HB 1678 - St. Onge (88)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289 - 1290) - Engler (106)
- 2 SCR 34, (2-16-04, Page 331) - Crawford (117)
- 3 HCS SS SCS SCR 36, (5-06-04) - Stefanick (93)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberger (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)

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- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)

(5/03/04)

- 1 SB 781 - Byrd (94)
- 2 HCS SCS SB 799 - Rupp (13)
- 3 SB 883 - Lager (4)
- 4 SCS SB 1044 - Pearce (121)
- 5 HCS SCS SB 1247 - Byrd (94)

(5/05/04)

- 1 HCS SCS SB 771 - Daus (67)
- 2 SCS SB 1075 - Jones (63)

(5/06/04)

- 1 SB 1296 - Dougherty (53)
- 2 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SCS SBs 1020, 889 & 869 - Goodman (132)
- 3 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 4 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 5 SS SS SCS SB 715 - Johnson (47)
- 6 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 7 HCS SCS SB 1038 - Luetkemeyer (115)
- 8 HCS SCS SB 1365 - Jackson (89)
- 9 SB 966 - Smith (118)
- 10 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 11 SB 920 - Cooper (155)
- 12 SCS SB 1062 - Johnson (47)
- 13 SCS SB 1155 - Dempsey (18)
- 14 SCS SB 1045 - Haywood (71)
- 15 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 16 HCS SCS SB 1269 - Dempsey (18)
- 17 HCS SB 1211 - Byrd (94)
- 18 SCS SB 1265 - Byrd (94)
- 19 HCS SB 1391, (Budget 5-04-04) - Black (161)
- 20 HCS SS SS SCS SB 1122 - Behnen (2)
- 21 SB 783, E.C. - Smith (118)
- 22 SCS SB 987 - Johnson (47)

- 23 SCS SB 1196 - Lager (4)
- 24 SCS SB 700, (Budget 5-06-04) - Angst (146)
- 25 SCS SB 827 - Byrd (94)
- 26 SB 1007 - Byrd (94)
- 27 HCS SS SCS SB 1034 - Marsh (136)
- 28 SB 1229 - Mayer (159)
- 29 SCS SB 1240 - Schlottach (111)
- 30 SCS SB 1262 - Engler (106)
- 31 SB 1344 - Dempsey (18)
- 32 HCS SCS SB 845 - Jackson (89)
- 33 HCS SB 900 - Schlottach (111)
- 34 HCS SCS SB 1225 - Hubbard (58)
- 35 HCS SB 1323 - Purgason (151)
- 36 HCS SCS SB 710 - Dusenberg (54)
- 37 SB 1153, HCA 1 - Hobbs (21)
- 38 HCS SS SCS SB 1183 - Johnson (47)
- 39 SCS SB 961 - Luetkemeyer (115)
- 40 HCS SCS SB 1116 - Pearce (121)
- 41 HCS SB 1394 - Cooper (120)
- 42 HCS SB 807 - Lembke (85)
- 43 HCS SCS SB 972 - McKenna (102)
- 44 HCS SCS SBs 1027 & 896 - Behnen (2)

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 1000, HA 1 and HS, pending - Crowell (158)

SENATE BILL FOR THIRD READING - REVISION

SRB 1108 - Crowell (158)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate recede/grant conference, pending, E.C. - Cunningham (86)
- 2 SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635, as amended, E.C. - Morris (138)
- 3 SCS HB 1217 - Johnson (47)
- 4 SCS HCS HB 1253 - Luetkemeyer (115)
- 5 SCS HCS HB 1660 - Lager (4)
- 6 SCS HB 1634 - Behnen (2)
- 7 SCS HB 1440 - Deeken (114)
- 8 SCS HB 960 - Roark (139)
- 9 SCS HB 1029, 1438 & 1610 - Henke (11)
- 10 SCS HB 826 & HCS HB 883 - Kelly (144)
- 11 SCS HCS HB 928, HCS HB 1123 & HCS HB 1280, as amended - Bivins (97)

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- 12 SCS HCS HB 798 - Shoemaker (8)
- 13 SCS HB 1188 - Lipke (157)
- 14 SCS HCS HB 1192 - Schlottach (111)
- 15 SCS HB 996, HB 1142, HCS HB 1201 & HB 1489 - Dusenbergh (54)
- 16 SCS HCS HB 1177, as amended - Guest (5)
- 17 SS HCS HB 998 & 905 - Sutherland (99)
- 18 SS SCS HCS HB 833, as amended - Luetkemeyer (115)
- 19 HS HB 1487, SA 1 to SA 1, SA 2 to SA 1, SA 1, as amended, and SA 2, E.C. - Self (116)
- 20 SCS HCS HB 1215, E.C. - Engler (106)
- 21 SS HS HCS HB 1511, as amended - Byrd (94)
- 22 SS HS HCS HB 1207, as amended - Icet (84)
- 23 SS HCS HB 1055, as amended - Bruns (113)
- 24 SS SCS HCS HB 1288, as amended - Threlkeld (109)
- 25 SS SCS HS HB 1021 - Bearden (16)
- 26 SCS HS HB 1193 - Self (116)

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HCS HB 1074 & 1129, (request Senate recede/grant conference) - Byrd (94)
- 2 HCS SCS SB 1106, (request House recede/grant conference/conferrees be allowed to exceed differences), E.C. - Schaaf (28)
- 3 HS HCS SCS#2 SB 762, as amended (request House recede/grant conference), E.C. - Hanaway (87)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 3 SCS HCS HB 1305, as amended - Byrd (94)
- 4 CCR SS HS HCS HB 978, as amended - Baker (123)
- 5 HS HCS SS SCS SB 1099, as amended - Dempsey (18)
- 6 SCS HCS HB 959, as amended - Luetkemeyer (115)
- 7 HCS HB 1617, SSA 1 for SA 1 - Hanaway (87)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

HOUSE CONCURRENT RESOLUTION

HCR 41, (5-06-04) - Phillips (32)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-FIFTH DAY, FRIDAY, MAY 7, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Steve Drury, Director of Stewardship, United Pentecostal Church International, Hazelwood, MO.

We come before You today Lord, with a praise from our hearts. A praise for Your faithfulness. For who You are and how You bless and keep us. We thank You for the blessing of a brand new day with renewed strength as this great body of men and women make a difference in our great state of Missouri and ultimately our nation and world.

Today we ask for Your divine wisdom as each member voices their convictions through dealing and voting for the values and decisions as each member represents their home district constituents.

We also ask for Your blessings not only upon each House member, but their family as well, as they share them with the needs of our state.

We pray for our President and all of our nation's leaders as we face the crisis that we are in at this time. We ask Your blessings and protection upon our soldiers everywhere, but especially in Iraq.... and for their families.... especially for the families of those who have lost a loved one in this conflict. We humbly ask for Your grace and peace to be with each of these groups of people.

Finally, we pray for Governor Holden and his family today in their hour of sorrow. Give them the needed strength as they sorrow over the death of his mother.

Please accept not only our regards, but our praise for who You are and Your blessings today. We ask in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Victoria Phillips, LaQuan Young, Fabian Cannon, Lili Castillo, Nicholas Kettler, Matt Barnett, Greg Anderson, Shelby Blanchard, Brooke Byland, Riley Schantz, Isabella Saffa, Samuel Saffa and Peter Saffa.

The Journal of the sixty-fourth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2822	-	Representative Dempsey
House Resolution No. 2823	-	Representative Cooper (120)
House Resolution No. 2824	-	Representative Bringer
House Resolution No. 2825	-	Representative McKenna
House Resolution No. 2826		
and		
House Resolution No. 2827	-	Representative Guest
House Resolution No. 2828	-	Representative Kingery
House Resolution No. 2829	-	Representative Johnson (47)
House Resolution No. 2830	-	Representatives Johnson (47) and Meiners
House Resolution No. 2831	-	Representative St. Onge
House Resolution No. 2832	-	Representative Mayer
House Resolution No. 2833		
and		
House Resolution No. 2834	-	Representative Lipke
House Resolution No. 2835	-	Representatives Donnelly and Fraser
House Resolution No. 2836		
and		
House Resolution No. 2837	-	Representative Whorton
House Resolution No. 2838		
and		
House Resolution No. 2839	-	Representative Quinn
House Resolution No. 2840	-	Representative Muckler
House Resolution No. 2841		
through		
House Resolution No. 2854	-	Representative Hobbs
House Resolution No. 2855		
through		
House Resolution No. 2857	-	Representative Fraser
House Resolution No. 2858		
and		
House Resolution No. 2859	-	Representative Witte
House Resolution No. 2860	-	Representative Schneider
House Resolution No. 2861		
through		
House Resolution No. 2866	-	Representative Bishop
House Resolution No. 2867	-	Representative Moore
House Resolution No. 2868	-	Representative Graham
House Resolution No. 2869	-	Representative Engler
House Resolution No. 2870	-	Representative Ruestman
House Resolution No. 2871		
and		
House Resolution No. 2872	-	Representative Willoughby

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635, as amended, relating to a conveyance in Greene County, was taken up by Representative Morris.

On motion of Representative Morris, **SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635, as amended**, was adopted by the following vote:

AYES: 157

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Abel	Avery	Salva	Smith 118	Taylor
Wildberger				

On motion of Representative Morris, **SCS HB 1613, HB 1445, HB 1454, HB 1462, HCS HB 1471, HB 1608, HB 1612 and HB 1635, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 153

Angst	Barnitz	Bean	Bearden	Behnen
Bishop	Bivins	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 001

LeVota

ABSENT WITH LEAVE: 009

Abel	Avery	Baker	Darrough	Salva
Smith 118	Taylor	Viebrock	Wildberger	

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

LeVota Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Avery	Salva	Smith 118	Sutherland
Taylor	Wildberger			

SS SCS HS HB 1021, relating to appropriations, was taken up by Representative Bearden.

On motion of Representative Bearden, **SS SCS HS HB 1021** was adopted by the following vote:

AYES: 158

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan

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Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Abel	Avery	Salva	Taylor	Wildberger
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On motion of Representative Bearden, **SS SCS HS HB 1021** was truly agreed to and finally passed by the following vote:

AYES: 158

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner

Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Abel	Avery	Salva	Taylor	Wildberger
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Speaker Hanaway declared the bill passed.

SCS HB 1217, relating to the Kansas City Police Retirement System, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **SCS HB 1217** was adopted by the following vote:

AYES: 151

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips

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Portwood	Pratt	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Purgason

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 010

Abel	Avery	Salva	Selby	Smith 118
Stevenson	Sutherland	Taylor	Wildberger	Wood

On motion of Representative Johnson (47), **SCS HB 1217** was truly agreed to and finally passed by the following vote:

AYES: 153

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson

Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Purgason	Sander
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PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 007

Abel	Avery	Salva	Smith 118	Stevenson
Taylor	Wildberger			

Speaker Hanaway declared the bill passed.

Representative Nieves assumed the Chair.

SCS HCS HB 1253, relating to insurance, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SCS HCS HB 1253** was adopted by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrouh	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker

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Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 008

Abel	Avery	Johnson 90	Salva	Smith 118
Stevenson	Taylor	Wildberger		

On motion of Representative Luetkemeyer, **SCS HCS HB 1253** was truly agreed to and finally passed by the following vote:

AYES: 152

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 010

Abel	Avery	Dempsey	Dethrow	Kelly 144
Salva	Smith 118	Stevenson	Taylor	Wildberger

Representative Nieves declared the bill passed.

SCS HCS HB 1660, relating to accident reports, was taken up by Representative Lager.

On motion of Representative Lager, **SCS HCS HB 1660** was adopted by the following vote:

AYES: 155

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 008

Abel	Avery	May	Salva	Smith 118
Stevenson	Taylor	Wildberger		

On motion of Representative Lager, **SCS HCS HB 1660** was truly agreed to and finally passed by the following vote:

AYES: 155

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Sutherland	Swinger	Thompson
Threlkeld	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Abel	Avery	Salva	Smith 118	Stevenson
Taylor	Townley	Wildberger		

Representative Nieves declared the bill passed.

SCS HB 1634, relating to military discharge records, was taken up by Representative Behnen.

On motion of Representative Behnen, **SCS HB 1634** was adopted by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Johnson 90

PRESENT: 000

ABSENT WITH LEAVE: 008

Abel	Avery	Fraser	Salva	Smith 118
Stevenson	Taylor	Wildberger		

On motion of Representative Behnen, **SCS HB 1634** was truly agreed to and finally passed by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Burnett	Byrd	Campbell	Carnahan	Cooper 120

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Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 001

Johnson 90

PRESENT: 000

ABSENT WITH LEAVE: 008

Abel	Avery	Bruns	Salva	Smith 118
Stevenson	Taylor	Wildberger		

Representative Nieves declared the bill passed.

SCS HB 1440, relating to the Regional Planning Commissions, was taken up by Representative Deeken.

On motion of Representative Deeken, **SCS HB 1440** was adopted by the following vote:

AYES: 156

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin

Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Avery	Salva	Stevenson	Taylor
Wildberger	Young			

On motion of Representative Deeken, **SCS HB 1440** was truly agreed to and finally passed by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller

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Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Sutherland	Swinger	Thompson
Threlkeld	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Avery	Salva	Schoemehl	Stevenson
Taylor	Townley	Wildberger	Young	

Representative Nieves declared the bill passed.

SCS HB 960, relating to a memorial highway, was taken up by Representative Roark.

On motion of Representative Roark, **SCS HB 960** was adopted by the following vote:

AYES: 152

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Sutherland

Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 001

Corcoran

ABSENT WITH LEAVE: 010

Abel	Avery	Bringer	Kuessner	Salva
Smith 118	Stevenson	Taylor	Wildberger	Young

On motion of Representative Roark, **SCS HB 960** was truly agreed to and finally passed by the following vote:

AYES: 153

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 000

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PRESENT: 000

ABSENT WITH LEAVE: 010

Abel	Avery	Bough	Hunter	Salva
Smith 118	Stevenson	Taylor	Wildberger	Young

Representative Nieves declared the bill passed.

SCS HB 1029, HB 1438 and HB 1610, relating to a memorial highway, was taken up by Representative Henke.

On motion of Representative Henke, **SCS HB 1029, HB 1438 and HB 1610** was adopted by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Blair
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Iceet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Avery	Hunter	Lembke	Salva
Stevenson	Taylor	Wildberger	Young	

On motion of Representative Henke, **SCS HB 1029, HB 1438 and HB 1610** was truly agreed to and finally passed by the following vote:

AYES: 154

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Avery	Lembke	May	Salva
Stevenson	Taylor	Wildberger	Young	

Representative Nieves declared the bill passed.

SCS HB 826 and HCS HB 883, relating to a memorial highway, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **SCS HB 826 and HCS HB 883** was adopted by the following vote:

AYES: 156

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Abel	Avery	Salva	Smith 118	Taylor
Wildberger	Young			

On motion of Representative Kelly (144), **SCS HB 826 and HCS HB 883** was truly agreed to and finally passed by the following vote:

AYES: 155

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan

Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Abel	Avery	Johnson 47	Salva	Smith 118
Taylor	Wildberger	Young		

Representative Nieves declared the bill passed.

SCS HCS HB 928, HCS HB 1123 and HCS HB 1280, as amended, relating to intermediate driver's licenses, was taken up by Representative Bivins.

On motion of Representative Bivins, **SCS HCS HB 928, HCS HB 1123 and HCS HB 1280, as amended**, was adopted by the following vote:

AYES: 151

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser

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George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Madam Speaker				

NOES: 001

LeVota

PRESENT: 000

ABSENT WITH LEAVE: 011

Abel	Avery	Johnson 47	Kelly 144	Salva
Smith 118	Stevenson	Taylor	Wildberger	Young
Zweifel				

On motion of Representative Bivins, **SCS HCS HB 928, HCS HB 1123 and HCS HB 1280, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna

Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Smith 14	Spreng
St. Onge	Stefanick	Sutherland	Swinger	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 004

Le Vota	Meadows	Selby	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Avery	Johnson 47	Salva	Smith 118
Stevenson	Taylor	Wildberger	Young	

Representative Nieves declared the bill passed.

Representative McKenna assumed the Chair.

SCS HCS HB 798, relating to court surcharges, was taken up by Representative Shoemaker.

On motion of Representative Shoemaker, **SCS HCS HB 798** was adopted by the following vote:

AYES: 141

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Byrd	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason

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Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Sager	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Townley	Viebrock	Villa	Vogt	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Madam Speaker				

NOES: 006

Burnett	Campbell	Harris 23	LeVota	Skaggs
Zweifel				

PRESENT: 001

Sander

ABSENT WITH LEAVE: 015

Abel	Avery	Bruns	Dempsey	Haywood
Hubbard	Reinhart	Salva	Smith 118	Taylor
Threlkeld	Wagner	Wildberger	Willoughby	Young

On motion of Representative Shoemaker, **SCS HCS HB 798** was truly agreed to and finally passed by the following vote:

AYES: 140

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Byrd	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Thompson
Townley	Viebrock	Villa	Vogt	Wagner

Walker	Walsh	Walton	Ward	Whorton
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Madam Speaker

NOES: 005

Burnett	Campbell	Harris 23	Skaggs	Zweifel
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PRESENT: 000

ABSENT WITH LEAVE: 018

Abel	Avery	Boykins	Cunningham 145	Fares
Haywood	Hubbard	Reinhart	Rupp	Salva
Smith 118	Taylor	Threlkeld	Wallace	Wasson
Wildberger	Willoughby	Young		

Representative McKenna declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HS HCS SCS#2 SB 762, as amended, relating to foster care, was taken up by Representative Hanaway.

Representative Hanaway moved that the House refuse to recede from its position on **HS HCS SCS#2 SB 762, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Hanaway resumed the Chair.

HCS SCS SB 1106, relating to a conveyance in Buchanan County, was taken up by Representative Schaaf.

Representative Schaaf moved that the House refuse to recede from its position on **HCS SCS SB 1106** and grant the Senate a conference and the House conferees be allowed to exceed the differences to correct the intersectional reference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS HCS SCS#2 SB 762: Representatives Hanaway, Stevenson, Wright, Riback Wilson (25) and Bishop

HCS SCS SB 1106: Representatives Schaaf, Johnson (47), Guest, Wildberger and Skaggs

MESSAGE FROM THE SENATE

May 7, 2004

Mr. Stephen S. Davis
Chief Clerk of the Missouri House of Representatives
Room 307, State Capitol
Jefferson City, Mo 65101

Dear Mr. Davis:

On April 29, 2004, **SCS for HB 1071, HB 801, HB 1275 & HB 989** was third read and passed by the Senate. The bill was delivered on May 3, 2004 to the House of Representatives. The message failed to include the adoption of Senate Perfecting Amendment No. 1. Attached is the corrected message, including the text of the perfecting amendment.

I sincerely apologize for any inconvenience this error may have caused.

Respectfully,

/s/ Terry L. Spieler
Secretary of Senate

**CORRECTED
MESSAGE FROM THE SENATE**

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1071, HB 801, HB 1275 & HB 989**, entitled:

An act to authorize the governor to convey certain tracts of land, with an emergency clause for certain sections.

With Senate Perfecting Amendment No. 1.

Senate Perfecting Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1071, House Bill No. 801, House Bill No. 1275 and House Bill No. 989, Page 2, Section 2, Lines 19-20, by striking said lines and inserting in lieu thereof the following:

“reasonable.”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

RECONSIDERATION

Representative Crowell, having voted on the prevailing side, moved that the vote by which the emergency clause on **SCS HB 1071, HB 801, HB 1275 and HB 989** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 140

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Carnahan	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Hampton	Harris 110	Henke
Hilgemann	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 005

Brooks	Green	Harris 23	Johnson 90	Sager
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PRESENT: 000

ABSENT WITH LEAVE: 018

Abel	Avery	Boykins	Campbell	Cooper 120
Dougherty	El-Amin	Guest	Haywood	Hoskins
Hubbard	Johnson 61	Page	Salva	Taylor
Wallace	Wildberger	Young		

Representative Crowell, having voted on the prevailing side, moved that the vote by which **SCS HB 1071, HB 801, HB 1275 and HB 989** was truly agreed to and finally passed, be reconsidered.

Which motion was adopted by the following vote:

AYES: 140

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Burnett
Byrd	Carnahan	Cooper 155	Corcoran	Crawford

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Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Henke	Hilgemann	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Threlkeld	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 006

Brooks	Harris 23	Johnson 90	Sager	Townley
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Avery	Boykins	Campbell	Cooper 120
Dougherty	El-Amin	Haywood	Hoskins	Hubbard
Johnson 61	Page	Salva	Taylor	Thompson
Wildberger	Young			

Representative Crowell, having voted on the prevailing side, moved that the vote by which **SCS HB 1071, HB 801, HB 1275 and HB 989** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 135

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Harris 110	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones

Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yates	Zweifel	Madam Speaker

NOES: 011

Green	Harris 23	Henke	Johnson 90	LeVota
Sager	Shoemyer	Skaggs	Townley	Whorton
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Avery	Boykins	Campbell	Cooper 120
Dougherty	El-Amin	Haywood	Hilgemann	Hoskins
Hubbard	Johnson 61	Page	Salva	Taylor
Wildberger	Young			

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1071, HB 801, HB 1275 and HB 989, as amended, relating to the conveyance of state land to Pierce City, was taken up by Representative Goodman.

On motion of Representative Goodman, **SCS HB 1071, HB 801, HB 1275 and HB 989, as amended**, was adopted by the following vote:

AYES: 148

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota

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Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Abel	Avery	Boykins	Campbell	Cooper 120
Dougherty	El-Amin	Haywood	Hoskins	Hubbard
Johnson 61	Salva	Taylor	Wildberger	Young

On motion of Representative Goodman, **SCS HB 1071, HB 801, HB 1275 and HB 989, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 144

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 155	Corcoran
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Guest	Hampton	Harris 110
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stevenson	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward

Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 001

Green

PRESENT: 000

ABSENT WITH LEAVE: 018

Abel	Avery	Boykins	Campbell	Cooper 120
Crawford	Dougherty	El-Amin	Haywood	Hoskins
Hubbard	Johnson 61	Salva	Smith 118	Stefanick
Taylor	Wildberger	Young		

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Henke
Hilgemann	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Avery	Boykins	Campbell	Dougherty
El-Amin	Haywood	Hoskins	Hubbard	Johnson 61
Salva	Taylor	Wildberger	Young	

SS HCS HB 1055, as amended, relating to sexual offenses, was taken up by Representative Bruns.

Representative Bruns moved that the House refuse to adopt **SS HCS HB 1055, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **SCS SB 810**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Crime Prevention and Public Safety, Chairman Mayer reporting:

Madam Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SB 1023**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education, Chairman Cunningham (86) reporting:

Madam Speaker: Your Committee on Education, to which was referred **SCR 32**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 32

WHEREAS, the teaching of universal themes such as honesty and integrity benefits the community as a whole by accomplishing change in ways that strengthen, support, and reflect the local community's values; and

WHEREAS, having good character demonstrates understanding, caring, and acting upon core ethical values such as honesty, respect and responsibility and is an essential attribute of a successful individual; and

WHEREAS, schools that reach out to families and include them in character-building efforts greatly enhance their chances for success with students; and

WHEREAS, traits such as kindness and caring, respect and responsibility, fairness and honesty are critical to the overall health and safety of a school; and

WHEREAS, a school must be a caring community which motivates and challenges students to have good moral character and requires moral leadership from both staff and students; and

WHEREAS, polls have shown that 90% of those surveyed support the teaching of values, like responsibility, respect, courage, and caring in schools; and

WHEREAS, in 1988, CHARACTER*plus*, a statewide collaborative effort that reaches more than 600 schools, 25,000 teachers, and 300,000 students, and based on a grass-roots community project in the St. Louis region, was established in Missouri by parents, educators, and business leaders and is now our nation's largest community-wide response to the challenges of character education; and

WHEREAS, in accordance with the Missouri School Improvement Program (MSIP) Standard 6.5, a comprehensive intentional character education process helps schools create a positive climate for learning and promotes teacher and administrative responsibility; and

WHEREAS, in accordance with the MSIP Standard 6.6, a comprehensive intentional character education process provides the strategy to promote and maintain orderliness in schools and creates a safe environment; and

WHEREAS, in accordance with MSIP Standard 6.6, the CHARACTER*plus* process provides an assessment tool that gathers data, provides comprehensive and comparative data reports, and furnishes consultation for analyzing and setting up a yearly plan to modify and improve programs and strategies; and

WHEREAS, in accordance with MSIP Standard 6.7, the CHARACTER*plus* process provides professional development for school character education teams and for the entire school staff as an integral part of the character education process; and

WHEREAS, the principles taught by the CHARACTER*plus* process are consistent with "Goal 4" of the Show-Me Standards, as approved by the Missouri State Board of Education on January 18, 1996, which states, "Students in Missouri public schools will acquire the knowledge and skills to make decisions and act as responsible members of society"; and

WHEREAS, at least fourteen states have passed legislation requiring character education be taught in schools, while an additional fourteen states encourage the teaching of character education; and

WHEREAS, character education initiatives in Missouri have received support from the U.S. Department of Education in the form of federal grants to our schools to support local character education efforts as has the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby challenge each school district in our state to develop a character education process that involves school, home, and community, and if it already has such a process in place, reevaluate such process in order to make certain the resources that best benefit the students of this state are being utilized; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of the Department of Elementary and Secondary Education; and

BE IT FURTHER RESOLVED that the Commissioner of the Department of Elementary and Secondary Education be instructed to copy this resolution and distribute one to each school district for distribution to its school board members.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 1064**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **SS SCR 47**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 47

WHEREAS, Missouri has a long tradition of providing funding for multimodal transportation services; and

WHEREAS, multimodal transportation services are a tool for economic development, mobility and congestion relief; and

WHEREAS, Missouri citizens directly benefit from multimodal transportation services; and

WHEREAS, recent state budget woes have forced personnel cuts, the elimination of promotional funds, and the implementation of a \$5 ticket surcharge to supplement insufficient state appropriations for passenger rail services; and

WHEREAS, other multimodal transportation services, such as MetroLink and OATS, face financial shortfalls during tight budgetary times; and

WHEREAS, mass transit systems are looking into fare increases in order to balance their budgets; and

WHEREAS, total state multimodal program funding for aviation, passenger rail, waterways, and transit has decreased from approximately \$25 million in fiscal year 2000 to \$16 million in fiscal year 2004; and

WHEREAS, there is a strong desire to stabilize and improve multimodal transportation services in Missouri in order to alleviate and enhance the mobility of people, goods, and freight; and

WHEREAS, according to the U.S. Department of Transportation, a multimodal transportation approach offers the promise of:

1. Lowering overall transportation costs by allowing each mode to be used for the portion of the trip to which it is best suited;
2. Increasing economic productivity and efficiency, thereby enhancing the nation's global competitiveness;
3. Reducing congestion and the burden on overstressed infrastructure components;
4. Generating higher returns from public and private infrastructure investments;
5. Improving mobility for the elderly, disabled, isolated, and economically disadvantaged; and
6. Reducing energy consumption and contributing to improved air quality and environmental conditions.

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Interim Committee on Multimodal Transportation Services"; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of five members of the Senate appointed by the President Pro Tem of the Senate, of which at least two shall be members of the minority party; and five members of the House of Representatives, appointed by the Speaker of the House of Representatives, of which at least two shall be members of the minority party; and

BE IT FURTHER RESOLVED that the Committee shall make a comprehensive analysis of Missouri's multimodal transportation services and shall:

- (1) Create a long-term vision for state supported multimodal transportation services in Missouri;
- (2) Formulate multimodal transportation policies and strategies that will place Missouri in a proactive position with regard to Missouri's future transportation challenges and opportunities;
- (3) Explore how Missouri can better regulate and connect the various modes of transportation into a united system;
- (4) Provide recommendations of how to reduce dependence on state general revenue support by increasing efficiencies, exploring dedicated funding sources, and by establishing local community support requirements;
- (5) Provide recommendations of how to establish public/private partnerships with railroads to complete infrastructure improvements that will reduce track congestion and improve on-time performance of trains;
- (6) Provide recommendations of how to increase utilization of multimodal services through the stabilization of services, increased promotional efforts, and service improvements; and
- (7) Review and explore any other issues the Committee deems relevant to the issue of improving multimodal transportation services; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the appointed members of the joint interim committee be appointed by June 1, 2004; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 15, 2005, and that the authority of said Committee shall terminate on said date.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Concurrent Resolution No. 47, Page 1291 of the House Journal, Line 18, Page 1 by inserting immediately before the word "waterways" the following :

" , motor carrier , ".

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 10**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 12**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS HCR 21**.

SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 21

WHEREAS, the poultry industry is a vital, profitable, and important industry in this state; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic impacts while making every attempt to eliminate negative aspects of the industry; and

WHEREAS, the poultry industry produces waste products which have significantly impacted the environment of the state; and

WHEREAS, the Poultry Industry Committee was created in 2002 to study the economic and environmental impact of the poultry industry in this state, especially the impacts this industry has on sensitive environmental areas; and

WHEREAS, while the Poultry Industry Committee has officially completed its duties, there is still work to be accomplished; and

WHEREAS, the forestry industry is a vital industry to Missouri, representing over fourteen million acres of Missouri timberland, which ranks our state seventh out of the twenty northeastern timber states, supports the bulk of Missouri recreation and tourism, directly provides thousands of jobs and supports tens of thousands of jobs where forest land and products are a vital component, directly generates three billion dollars of revenue, and indirectly supports the generation of many more billions of dollars in revenue; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic contribution of this industry while making every attempt to minimize environmental harm and other negative aspects of the industry; and

WHEREAS, the industries' current practice of harvesting sixty percent of the tree, and its predominant production of low value-added products, limits the potential economic contribution to industry participants and to the state; and

WHEREAS, there exists a need for a study of the potential for increased industrial strength and rural economic gains to be realized by forestry adopting modern industrial business models and value-added techniques:

NOW, THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate concurring therein, hereby reauthorize the "Poultry Industry Committee" to continue its review and evaluation of both the economic impact of the poultry industry, waste disposal issues, and environmental impacts of this industry, and as well as making recommendations on further action or legislative remedies, if any, to be taken as necessary; and

NOW, THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate concurring therein, hereby authorize the creation of a "Forestry Utilization Committee", which shall review and evaluate both the industrial and economic impact of forestry utilization and make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that the Poultry Industry Committee shall be composed of twenty-seven members, one member to be a member of the Senate to be appointed by the President Pro Tem of the Senate, one member to be a member of the House of Representatives to be appointed by the Speaker of the House, two county commissioners or their designees, a representative from the Food and Agricultural Policy Research Institute (FAPRI), a representative of the Environmental Protection Agency (EPA), a representative of the Department of Natural Resources, a representative of the United States Department of Agriculture, a representative of the Natural Resources

Conservation Services (NRCS), a representative of the university extension system, a representative of the poultry federation, a representative of the Missouri Farmer's Association, a representative of the Farm Bureau, a representative of the Department of Conservation, a representative of the University of Missouri Department of Agriculture, Food, and Natural Resources, a representative of the Southwest Missouri State University Department of Agriculture, a representative of the University of Missouri Commercial Agriculture Program, a member appointed by the Resource Conservation & Development Council, a representative of the Department of Economic Development, a representative of the Department of Agriculture, a representative of the Clean Water Commission, two active poultry farmers, two poultry industry contractors or processors, a person active in the processing/value-added portion of poultry waste, one person from Missouri Farm Credit Services. Each member of the Committee shall serve until December 31, 2005; and

BE IT FURTHER RESOLVED that the Committee may conduct its business by various means but shall meet no less than twice each year as a full Committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the Poultry Industry Committee in carrying out its duties, including allowing access to closed records, provided that the Committee shall not disclose any identifying information contained in such records closed pursuant to statute or general order and any such information in the custody of the Committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation and the Office of Administration shall provide funding, administrative support, and staff for the effective operation of the Poultry Industry Committee; and

BE IT FURTHER RESOLVED that the Poultry Industry Committee shall continue to study problems and solutions, collect information and provide recommendations in a report to the General Assembly before December 31, 2005; and

BE IT FURTHER RESOLVED that the Poultry Industry Committee shall terminate December 31, 2005; and

BE IT FURTHER RESOLVED that the Forestry Utilization Committee shall be composed of twenty-three members, one member to be a member of the Missouri Senate to be appointed by the President Pro Tem of the Senate, one member to be a member of the Missouri House of Representatives to be appointed by the Speaker of the House, two county commissioners appointed by the Missouri Association of Counties, two forest landowners representing small forestry holdings with owners of less than two hundred acres of timber and two representatives of large forestry holdings with greater than two hundred acres of timber, both to be appointed by the Missouri Farm Bureau, a representative from the Resource Conservation and Development Councils, a representative from the Missouri Department of Natural Resources' Energy Center, a representative from the Missouri Enterprise Business Assistance Center, a representative of the United States Department of Agriculture Forest Service's North Central Forest Experimental Station, a representative of the University of Missouri's School of Natural Resources, a representative of the Society of American Foresters, a representative from the Missouri Department of Conservation's Division of Forestry, a representative of the Missouri Forest Products Association, a representative of the Missouri Department of Agriculture's Business Development Division, two representatives of a large-volume active sawmill and two representatives of a small-volume active sawmill appointed by the Missouri Forest Products Association, a representative of the School of Agricultural Sciences at Southwest Missouri State University and a representative of the Department of Agriculture, School of Polytechnic Studies at Southeast Missouri State University. Each member of the committee shall serve until December 31, 2005. A chairman, vice-chairman, and secretary shall be elected by the membership of the committee to conduct the business of the committee; and

BE IT FURTHER RESOLVED that the Forestry Utilization Committee may conduct its business by various means but shall meet no less than twice each year as a full committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the Forestry Utilization Committee in carrying out its duties, including allowing access to closed records, provided that the Forestry Utilization Committee shall not disclose any identifying information contained in such records closed pursuant to statute or general order, and

any such information in the custody of the committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide minimal funding, administrative support, and staff for the effective operation of the committee; and

BE IT FURTHER RESOLVED that the Forestry Utilization Committee shall study problems and solutions, collect information, and provide recommendations in a report to the General Assembly before July 30, 2005; and

BE IT FURTHER RESOLVED that the Forestry Utilization Committee shall submit its final report to the General Assembly no later than December 31, 2005; and

BE IT FURTHER RESOLVED that the Forestry Utilization Committee shall terminate December 31, 2005; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 45**, entitled:

Relating to the designation of April as "Literacy Month" in Missouri.

SENATE CONCURRENT RESOLUTION NO. 45

Relating to the designation of April as "Literacy Month" in Missouri.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, literacy means having a broad range of skills that include reading, writing, mathematics, critical thinking, and speaking in English; and

WHEREAS, for businesses, literacy also includes such workplace basics as using computers, working on teams, and making decisions, and a literate workforce is essential to the local, state, and national economy and effects economic competitiveness in a global market; and

WHEREAS, learning does not end with formal education but continues throughout life as individuals acquire new knowledge and skills; and

WHEREAS, literacy empowers parents in their role as their children's first teacher, preparing their children to be ready to learn upon entering school and helping their children to succeed once in school; and

WHEREAS, English as a second language programs empower non-English speaking adults to be successful in society and at work, and to contribute to the success of their children at home through language development and to participate in their children's education; and

WHEREAS, literacy empowers Missouri citizens by enabling them to exercise the rights and responsibilities of citizenship:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate April of each year to be "Literacy Month" in Missouri; and

BE IT FURTHER RESOLVED that the members of the General Assembly recommend that Literacy Month be observed by schools and all Missouri citizens with appropriate activities that focus public awareness on empowering Missourians through increased literacy skills; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 50**.

SENATE CONCURRENT RESOLUTION NO. 50

WHEREAS, good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health; and

WHEREAS, direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially today with the great potential for the cross-border spread of various infectious diseases such as the human immunodeficiency virus (HIV), tuberculosis, and malaria; and

WHEREAS, Taiwan's population of 23,500,000 people is greater than three-fourths of the member states already in the World Health Organization (WHO); and

WHEREAS, Taiwan's achievements in the field of health are substantial, including:

- (1) Attaining one of the highest life expectancy levels in Asia, and maternal and infant mortality rates comparable to those of western countries; and
- (2) Eradicating such infectious diseases as cholera, smallpox, the plague, and polio; and
- (3) Providing children with hepatitis B vaccinations; and

WHEREAS, the United States Centers for Disease Control and Prevention and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, in recent years Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the WHO; and

WHEREAS, on January 14, 2001, an earthquake, registering between 7.6 and 7.9 of the Richter scale, struck El Salvador. In response, the Taiwanese Government sent two rescue teams, consisting of ninety individuals specializing in firefighting, medicine, and civil engineering. The Taiwanese Ministry of Foreign Affairs also donated \$200,000 in relief aid to the Salvadoran Government; and

WHEREAS, the World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950s; and

WHEREAS, the United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, in light of all benefits that Taiwan's participation in WHO can bring to the state of health not only in Taiwan, but also regionally and globally, Taiwan and its 23,500,000 people should have appropriate and meaningful participation in the WHO; and

WHEREAS, in 2003, the outbreak of Severe Acute Respiratory Syndrome (SARS) caused 73 deaths in Taiwan; and

WHEREAS, avian influenza, commonly known as bird flu, has reemerged in Asia, with strains of the influenza reported by the People's Republic of China, Cambodia, Indonesia, Japan, Pakistan, South Korea, Taiwan, Thailand, Vietnam, and Laos; and

WHEREAS, the SARS and avian influenza outbreaks illustrate that disease knows no boundaries and emphasize the importance of allowing all people access to the WHO; and

WHEREAS, as the pace of globalization quickens and the spread of infectious disease accelerates, it is crucial that all people, including the people of Taiwan, be given the opportunity to participate in international health organizations such as the WHO:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby support observer status for Taiwan at the annual week-long summit of the World Health Assembly (WHA) held by the World Health Organization (WHO) in May 2004 in Geneva, Switzerland; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for President George W. Bush, Secretary of State Colin Powell, Secretary of Health and Human Services Tommy Thompson, the Taipei Economic and Cultural Office in Kansas City, Missouri and the World Health Organization.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 51**.

Relating to recognition of the Ellis Fischel Cancer Center.

SENATE CONCURRENT RESOLUTION NO. 51

Relating to recognition of the Ellis Fischel Cancer Center.

WHEREAS, on January 11, 1937, Governor Lloyd C. Stark of Missouri in his inaugural address stressed the desirability and importance of a cancer hospital, which should be available to "the humblest citizen"; and

WHEREAS, Senator Michael Kinney of St. Louis introduced a cancer hospital bill to the 59th General Assembly, a measure which was subsequently passed and signed by Governor Stark on May 28, 1937; and

WHEREAS, the bill provided for the erection and operation of the first state cancer hospital in the country and provision for the establishment of diagnostic clinics, and for the Governor to appoint a State Cancer Commission to supervise the maintenance and operation of the state's cancer program and to appoint a hospital administrator; and

WHEREAS, the cornerstone for this historic state cancer hospital was laid December 9, 1938, and the hospital opened in 1940 as the Ellis Fischel State Cancer Hospital in honor of Dr. Ellis Fischel, a St. Louis surgeon who was a staunch advocate and chairman of the Missouri State Cancer Commission who suffered an early and unfortunate death before the hospital was completed; and

WHEREAS, the Ellis Fischel State Cancer Hospital has a long and historical record of compassionate cancer treatment for the citizenry of Missouri and beyond, and of cancer outreach education and prevention activities that have engaged virtually every county in the State of Missouri; and

WHEREAS, the Ellis Fischel State Cancer Hospital, which has been owned and operated by the State of Missouri under the authority of the Missouri State Cancer Commission for fifty years, was transferred by Governor John Ashcroft from management by the Missouri Department of Health and Senior Services to that of the Curators of the University of Missouri, a sovereign entity of the State of Missouri, on November 1, 1990; and

WHEREAS, this transfer of management and the merger of the highest quality cancer research, education, and treatment programs between the staffs of the Ellis Fischel State Cancer Hospital and the Medical School of the University of Missouri-Columbia, which resulted in renaming the program the Ellis Fischel Cancer Center, has resulted in a State Cancer Hospital that provides research in the causes, prevention, and treatment of cancer of the very highest quality care for Missourians:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, the House of Representatives concurring therein, unanimously join in extending our recognition of the history and service of the Ellis Fischel Cancer Center as the designated cancer institute of the State of Missouri; and

BE IT FURTHER RESOLVED that this resolution be sent to the governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SCS SB 757** and has taken up and passed **SCS SB 757, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 824** and has taken up and passed **HCS SB 824**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1091** and has taken up and passed **HCS SCS SB 1091**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 970**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 985**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1070**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1187**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1362**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1008**, and has taken up and passed **CCS SCS HS HCS HB 1008**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1009**, and has taken up and passed **CCS SCS HS HCS HB 1009**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1010**, **as amended**, and has taken up and passed **CCS SCS HS HCS HB 1010**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1011**, **as amended**, and has taken up and passed **CCS SCS HS HCS HB 1011**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HB 1012**, **as amended**, and has taken up and passed **CCS SCS HS HCS HB 1012**.

MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE
May 7, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
SECOND REGULAR SESSION
92ND GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 895** entitled:

"AN ACT"

To repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to dissolution of certain road districts, with an emergency clause.

On May 7, 2004, I approved said **House Committee Substitute for House Bill No. 895**.

Respectfully submitted,

/s/ Bob Holden
Governor

EXECUTIVE OFFICE
May 7, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
SECOND REGULAR SESSION
92ND GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **House Bill No. 1001** entitled:

"AN ACT"

To appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

On May 7, 2004, I approved said **House Bill No. 1001**.

Respectfully submitted,

/s/ Bob Holden
Governor

The following members' presence was noted: Salva, Wildberger and Taylor.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 4:00 p.m, Monday, May 10, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fourth Day, Thursday, May 6, 2004, Page 1522, roll call, by showing Representative Avery voting "absent with leave" rather than "aye".

Page 1541, Lines 9, 10 and 11, by deleting "Taylor" and inserting in lieu thereof "Wallace".

Page 1567, Line 17, by deleting said line and inserting in lieu thereof the following:

The emergency clause was defeated by the following vote:

AYES: 100

Abel
Bearden

Angst
Behnen

Baker
Bivins

Barnitz
Bland

Bean
Bough

1641 *Journal of the House*

Brown	Bruns	Byrd	Carnahan	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Daus
Davis 19	Deeken	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Goodman	Graham	Guest	Harris 23	Haywood
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Kuessner	Lager	Lawson	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Miller	Moore	Morris	Munzlinger
Nieves	Page	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Threlkeld	Townley	Villa	Wallace	Wilson 119
Wilson 130	Wood	Wright	Yates	Zweifel

NOES: 52

Bishop	Black	Boykins	Bringer	Burnett
Campbell	Cooper 120	Corcoran	Curls	Darrough
Davis 122	Donnelly	El-Amin	Fraser	George
Green	Hampton	Harris 110	Henke	Hilgemann
Hoskins	Johnson 61	Johnson 90	Jones	Kelly 36
Kratky	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Parker	Ransdall	Salva
Schoemehl	Selby	Skaggs	Swinger	Thompson
Walker	Walsh	Walton	Wasson	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young			

PRESENT: 005

Dempsey Jolly Myers Viebrock Madam Speaker

ABSENT WITH LEAVE: 006

Avery	Brooks	Taylor	Vogt	Wagner
Ward				

AFFIDAVITS

I, State Representative Randy Angst, District 146, hereby state and affirm that my vote as recorded on Page 1523 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Randy Angst
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jason Brown, District 30, hereby state and affirm that my vote as recorded on Page 1541 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Jason Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative John Burnett, District 40, hereby state and affirm that my vote as recorded on Page 1539 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ John Burnett
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Shannon Cooper, District 120, hereby state and affirm that my votes as recorded on Pages 1559 and 1561 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Shannon Cooper
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 1504 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Jane Cunningham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Dethrow, District 153, hereby state and affirm that my vote as recorded on Page 1511 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Mike Dethrow
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kathlyn Fares, District 91, hereby state and affirm that my votes as recorded on Pages 1517-1518, 1531-1532, and 1539-1540 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

Subscribed and sworn to before me this 7th day of May in the year 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

Subscribed and sworn to before me this 7th day of May in the year 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

[illegible]

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jeff Harris, District 23, hereby state and affirm that my vote as recorded on Page 1504 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Jeff Harris
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Cathy Jolly, District 45, hereby state and affirm that my votes as recorded on Pages 1534 and 1542 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Cathy Jolly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jenee' Lowe, District 44, hereby state and affirm that my votes as recorded on Pages 1579 and 1580 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Jenee' Lowe
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bob May, District 149, hereby state and affirm that my vote as recorded on Page 1526 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Bob May
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tim Meadows, District 101, hereby state and affirm that my votes as recorded on Pages 1539 and 1564 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative David Pearce, District 121, hereby state and affirm that my votes as recorded on Pages 1504 and 1570 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were incorrectly recorded.

/s/ David Pearce
State Representative

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Charles Portwood
State Representative

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Scott T. Rupp
State Representative

[illegible]

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Vicki Schneider, District 17, hereby state and affirm that my votes as recorded on Pages 1579 and 1580 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Vicki Schneider
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sue Schoemehl, District 100, hereby state and affirm that my vote as recorded on Page 1517 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Sue Schoemehl
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Wes Shoemyer, District 9, hereby state and affirm that my vote as recorded on Page 1525 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Wes Shoemyer
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jay Wasson, District 141, hereby state and affirm that my vote as recorded on Page 1514 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dennis Wood, District 62, hereby state and affirm that my votes as recorded on Pages 1525 and 1526 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

/s/ Dennis Wood
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Brian Yates, District 56, hereby state and affirm that my vote as recorded on Page 1504 of the House Journal for Thursday, May 6, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

State of Missouri)
) ss.
County of Cole)

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

State of Missouri)
County of Cole) ss.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of May 2004.

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 7th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Tuesday, May 11, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session.
Other bills as assigned or referred for fiscal review.

BUDGET

Wednesday, May 12, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session.
Other bills as assigned or referred for fiscal review.

BUDGET

Thursday, May 13, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session.
Other bills as assigned or referred for fiscal review.

BUDGET

Friday, May 14, 2004, 8:00 a.m. Hearing Room 3.
Possible Executive session.
Other bills as assigned or referred for fiscal review.

CONFERENCE COMMITTEE NOTICE

Monday, May 10, 2004, Hearing Room 6 upon evening adjournment.
Conference Committee SS SCS HCS HB 795, 972, 1128 & 1162.

CONFERENCE COMMITTEE NOTICE

Monday, May 10, 2004, Hearing Room 3 upon adjournment of both the House and Senate.
Conference Committee HCS HB 1617 as amended.

PROFESSIONAL REGISTRATION AND LICENSING

Monday, May 10, 2004, 3:00 p.m. Hearing Room 4.
Executive session will follow.
Public hearing to be held on: HB 1740

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 10, 2004, 2:30 p.m. Hearing Room 6.
Executive session.

TAX POLICY

Tuesday, May 11, 2004, House Chamber side gallery upon morning adjournment.

Public hearings to be held on: SB 847, SB 1165

Executive session will be held on: HB 1648, SB 847, SB 1165

HOUSE CALENDAR

SIXTY-SIXTH DAY, MONDAY, MAY 10, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)
- 20 HB 1678 - St. Onge (88)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

- 1 SCR 45
- 2 SCR 51

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289 - 1290) - Engler (106)
- 2 SCR 34, (2-16-04, Page 331) - Crawford (117)
- 3 HCS SS SCS SCR 36, (5-06-04, Pages 1585 - 1586) - Stefanick (93)
- 4 HCS SCR 32, (5-07-04) - Fares (91)
- 5 SS SCR 47, HCA 1, (5-07-04) - Pearce (121)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberger (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)
- 13 SB 781 - Byrd (94)
- 14 HCS SCS SB 799 - Rupp (13)
- 15 SB 883 - Lager (4)
- 16 SCS SB 1044 - Pearce (121)
- 17 HCS SCS SB 1247 - Byrd (94)

(5/05/04)

- 1 HCS SCS SB 771 - Daus (67)
- 2 SCS SB 1075 - Jones (63)

(5/06/04)

- 1 SB 1296 - Dougherty (53)
- 2 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SCS SBs 1020, 889 & 869 - Goodman (132)
- 3 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 4 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 5 SS SS SCS SB 715 - Johnson (47)
- 6 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 7 HCS SCS SB 1038 - Luetkemeyer (115)
- 8 HCS SCS SB 1365 - Jackson (89)
- 9 SB 966 - Smith (118)
- 10 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 11 SB 920 - Cooper (155)
- 12 SCS SB 1062 - Johnson (47)
- 13 SCS SB 1155 - Dempsey (18)
- 14 SCS SB 1045 - Haywood (71)
- 15 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 16 HCS SCS SB 1269 - Dempsey (18)
- 17 HCS SB 1211 - Byrd (94)
- 18 SCS SB 1265 - Byrd (94)
- 19 HCS SB 1391, (Budget 5-04-04) - Black (161)
- 20 HCS SS SS SCS SB 1122 - Behnen (2)
- 21 SB 783, E.C. - Smith (118)
- 22 SCS SB 987 - Johnson (47)
- 23 SCS SB 1196 - Lager (4)
- 24 SCS SB 700, (Budget 5-06-04) - Angst (146)
- 25 SCS SB 827 - Byrd (94)
- 26 SB 1007 - Byrd (94)
- 27 HCS SS SCS SB 1034 - Marsh (136)
- 28 SB 1229 - Mayer (159)
- 29 SCS SB 1240 - Schlottach (111)
- 30 SCS SB 1262 - Engler (106)
- 31 SB 1344 - Dempsey (18)
- 32 HCS SCS SB 845 - Jackson (89)
- 33 HCS SB 900 - Schlottach (111)
- 34 HCS SCS SB 1225 - Hubbard (58)
- 35 HCS SB 1323 - Purgason (151)
- 36 HCS SCS SB 710 - Dusenberg (54)
- 37 SB 1153, HCA 1 - Hobbs (21)
- 38 HCS SS SCS SB 1183 - Johnson (47)
- 39 SCS SB 961 - Luetkemeyer (115)
- 40 HCS SCS SB 1116 - Pearce (121)
- 41 HCS SB 1394 - Cooper (120)
- 42 HCS SB 807 - Lembke (85)
- 43 HCS SCS SB 972 - McKenna (102)

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- 44 HCS SCS SBs 1027 & 896 - Behnen (2)
- 45 SCS SB 810 - Myers (160)
- 46 HCS SS SB 1023 - Threlkeld (109)
- 47 SB 1064 - Cunningham (145)

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 1000, HA 1 and HS, pending - Crowell (158)

SENATE BILL FOR THIRD READING - REVISION

SRB 1108 - Crowell (158)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate recede/grant conference, pending, E.C. - Cunningham (86)
- 2 SCS HB 1188 - Lipke (157)
- 3 SCS HCS HB 1192 - Schlottach (111)
- 4 SCS HB 996, HB 1142, HCS HB 1201 & HB 1489 - Dusenberg (54)
- 5 SCS HCS HB 1177, as amended - Guest (5)
- 6 SS HCS HB 998 & 905 - Sutherland (99)
- 7 SS SCS HCS HB 833, as amended - Luetkemeyer (115)
- 8 HS HB 1487, SA 1 to SA 1, SA 2 to SA 1, SA 1, as amended, and SA 2, E.C. - Self (116)
- 9 SCS HCS HB 1215, E.C. - Engler (106)
- 10 SS HS HCS HB 1511, as amended - Byrd (94)
- 11 SS HS HCS HB 1207, as amended - Icet (84)
- 12 SS SCS HCS HB 1288, as amended - Threlkeld (109)
- 13 SCS HS HB 1193 - Self (116)
- 14 SCS HCR 21, (5-07-04) - Ruestman (131)

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HCS HB 1074 & 1129, (request Senate recede/grant conference) - Byrd (94)
- 2 SS HCS HB 1055, as amended (request Senate recede/grant conference) - Bruns (113)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 3 CCR SCS HCS HB 1305, as amended - Byrd (94)
- 4 CCR SS HS HCS HB 978, as amended - Baker (123)
- 5 HS HCS SS SCS SB 1099, as amended - Dempsey (18)
- 6 SCS HCS HB 959, as amended - Luetkemeyer (115)
- 7 HCS HB 1617, SSA 1 for SA 1 - Hanaway (87)

- 8 HS HCS SCS#2 SB 762, as amended, E.C. - Hanaway (87)
- 9 HCS SCS SB 1106, (exceed differences), E.C. - Schaaf (28)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

HOUSE CONCURRENT RESOLUTION

HCR 41, (5-06-04, Pages 1587 - 1588) - Phillips (32)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-SIXTH DAY, MONDAY, MAY 10, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, our requests have gone before You, our prayers are answered. You have been our constant companion throughout this session and we are forever grateful.

Through the highs and the lows, laughter and sorrow, agreements and disagreements, You have not abandoned us. Your grace and mercy is to us a perpetual guide.

May our hearts and minds be in tune with Your plan for this week. We surrender our plans to Yours; our days are ordained of You. Our times are in Your hands.

We began a good and noble work this year, help us see it to completion and may we finish well.

May Your grace rest and abide with us all...

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-fifth day was approved as corrected.

HOUSE RESOLUTION

Representative Dixon offered House Resolution No. 2913.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2873

through

House Resolution No. 2886	-	Representative Hobbs
House Resolution No. 2887	-	Representative Townley
House Resolution No. 2888	-	Representative El-Amin
House Resolution No. 2889	-	Representative Jones
House Resolution No. 2890	-	Representative Lowe
House Resolution No. 2891	-	Representative Luetkemeyer

House Resolution No. 2892
and
House Resolution No. 2893 - Representative Crawford
House Resolution No. 2894 - Representative LeVota
House Resolution No. 2895 - Representative Smith (14)
House Resolution No. 2896
through
House Resolution No. 2900 - Representative Pratt
House Resolution No. 2901
through
House Resolution No. 2904 - Representative Whorton
House Resolution No. 2905 - Representative Rupp
House Resolution No. 2906 - Representative Self
House Resolution No. 2907 - Representative Deeken
House Resolution No. 2908
through
House Resolution No. 2912 - Representative Kelly (36)
House Resolution No. 2914 - Representative Davis (122)
House Resolution No. 2915 - Representative Schaaf
House Resolution No. 2916 - Representative Harris (23)

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 45 and **SCR 51** were read the second time.

COMMITTEE REPORT

Committee on Budget, Chairman Bearden reporting:

Madam Speaker: Your Committee on Budget, to which was referred **HCS SB 1391** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS#2 SB 762, as amended**: Senators Champion, Shields, Steelman, Dougherty and Wheeler.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 932, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HB 1055, as amended**, and grants the House a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 1081, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon and that the conferees be allowed to exceed the differences.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 1106**: Senators Shields, Bartle, Scott, Caskey and Stoll.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS HCS HB 1055: Representatives Bruns, Dixon, Mayer, Jolly and Witte

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1188, relating to criminal case fees, was taken up by Representative Lipke.

On motion of Representative Lipke, **SCS HB 1188** was adopted by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl

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Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

El-Amin	Hoskins	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Boykins	Brooks	Smith 118
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On motion of Representative Lipke, **SCS HB 1188** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 004

El-Amin

Hoskins

Selby

Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery

Boykins

Brooks

Speaker Hanaway declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SCS SBs 1020, 889 & 869, relating to the open records law, was taken up by Representative Goodman.

Representative Goodman offered **HS HCS SCS SBs 1020, 889 & 869**.

Representative Goodman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Page 23, Section 610.026, Line 23, by deleting the word "**clerical**"; and

Further amend said page and section, Line 24, by deleting the comma ",".

On motion of Representative Goodman, **House Amendment No. 1** was adopted.

Representative Lipke assumed the Chair.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Section 610.027, Page 26, Line 4 of said page, by deleting the word "**negligently**" and inserting in lieu thereof "**knowingly**"; and

Further amend said bill, Section 610.100, Page 33, Line 25, by deleting the word "**negligently**" and inserting in lieu thereof "**knowingly**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Page 1, Line 4 of said amendment, by adding after all of said line, the following:

“Further amend said bill, Section 610.027, Page 26, Lines 10 and 11 of said page, by deleting ‘**twenty-five dollars to two hundred fifty dollars**’ and inserting in lieu thereof ‘**two hundred fifty dollars to one thousand dollars**’; and”; and

Further amend said amendment, Page 1, Line 7 of said amendment, by adding after all of said line, the following:

“Further amend said bill, Section 610.100, Page 34, Line 3 of said page, by deleting ‘**twenty-five dollars to two hundred fifty dollars**’ and inserting in lieu thereof ‘**two hundred fifty dollars to one thousand dollars**’; and”.

Representative Harris (23) offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2**.

Speaker Pro Tem Jetton resumed the Chair.

Representative Pratt raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the underlying amendment and that the amendment as a substitute amendment for an amendment to the amendment is out of order under U.S. House Rule XVI, clause 6, and official precedent.

The Chair ruled the first point of order well taken.

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

HCS SCS SBs 1020, 889 & 869, with House Amendment No. 2, and HS, as amended, pending, was laid over.

HOUSE BILL WITH SENATE AMENDMENT

SCS HCS HB 1192, relating to animal health and meat inspections, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **SCS HCS HB 1192** was adopted by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122

Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Boykins	Brooks	Self	Wood
Wright				

On motion of Representative Schlottach, **SCS HCS HB 1192** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke

Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Brooks	Shoemyer	Wright
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Speaker Pro Tem Jetton declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HS HCS SS SCS SB 1081, as amended, relating to contractors' lawsuits, was taken up by Representative Pratt.

Representative Pratt moved that the House refuse to recede from its position on **HS HCS SS SCS SB 1081, as amended**, and grant the Senate a conference, and the conferees be allowed to exceed the differences on allowing a claimant to proceed directly to small claims court for construction defects of which the repair cost would not exceed the applicable dollar limit for a matter before the small claims court having jurisdiction of the claim.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

HS HB 1487, with Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2, relating to kidnapping a child, was taken up by Representative Self.

Representative Self moved that the House refuse to concur in **Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2 to HS HB 1487** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 1288, as amended, relating to franchise agreements, was taken up by Representative Threlkeld.

Representative Threlkeld moved that the House refuse to adopt **SS SCS HCS HB 1288, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 996, HB 1142, HCS HB 1201 and HB 1489, as amended, relating to school bus inspections, was taken up by Representative Dusenberg.

On motion of Representative Dusenberg, **SCS HB 996, HB 1142, HCS HB 1201 and 1489, as amended**, was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Yaeger	Yates	Young	Zweifel
Madam Speaker				

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NOES: 006

Crowell	Harris 110	Selby	Skaggs	Stevenson
Whorton				

PRESENT: 002

Brooks	Wilson 42
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ABSENT WITH LEAVE: 004

Avery	Boykins	El-Amin	Wright
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On motion of Representative Dusenberg, **SCS HB 996, HB 1142, HCS HB 1201 and HB 1489, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 007

Crowell	Harris 110	Selby	Skaggs	Stevenson
Ward	Whorton			

PRESENT: 002

Brooks	Wilson 42
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ABSENT WITH LEAVE: 005

Avery Boykins El-Amin Sutherland Wright

Speaker Pro Tem Jetton declared the bill passed.

SS HCS HBs 998 & 905, relating to mobile home lease communities, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **SS HCS HBs 998 & 905** was adopted by the following vote:

AYES: 140

Abel	Baker	Bean	Bearden	Behnen
Bishop	Bivins	Black	Bough	Bringer
Brooks	Brown	Bruns	Burnett	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lembke	LeVota	Liese	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Quinn	Ransdall	Ruestman	Rupp	Sager
Salva	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 017

Angst	Barnitz	Crowell	Cunningham 145	Daus
Emery	Engler	Hoskins	Lawson	Lipke
Purgason	Rector	Richard	Roark	Sander
Stevenson	Wood			

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery Bland Boykins Hubbard Reinhart
Wright

On motion of Representative Sutherland, **SS HCS HBs 998 & 905** was truly agreed to and finally passed by the following vote:

AYES: 137

Abel	Baker	Bean	Bearden	Behnen
Bishop	Bivins	Black	Bringer	Brooks
Brown	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Cunningham 86
Curls	Darrough	Davis 122	Davis 19	Deeken
Dempsey	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lembke
LeVota	Liese	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Quinn	Ransdall
Rupp	Sager	Salva	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 020

Angst	Barnitz	Bough	Crowell	Cunningham 145
Daus	Dethrow	Emery	Engler	Hoskins
Lawson	Lipke	Purgason	Rector	Richard
Roark	Ruestman	Sander	Stevenson	Wood

PRESENT: 001

Bruns

ABSENT WITH LEAVE: 005

Avery	Bland	Boykins	Reinhart	Wright
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Speaker Pro Tem Jetton declared the bill passed.

SS SCS HCS HB 833, as amended, relating to exhibition center districts, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SS SCS HCS HB 833, as amended**, was adopted by the following vote:

AYES: 142

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bruns	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Curls	Darrouh	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Guest	Hampton	Harris 110	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Reinhart	Richard
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 017

Bringer	Brown	Burnett	Cunningham 86	Donnelly
Dougherty	Green	Harris 23	Henke	Johnson 90
LeVota	Rector	Roark	Sager	Shoemyer
Skaggs	Walker			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Avery	Boykins	Wright
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On motion of Representative Luetkemeyer, **SS SCS HCS HB 833, as amended**, was truly agreed to and finally passed by the following vote:

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AYES: 140

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bruns	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Guest	Hampton	Harris 110	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lawson	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Reinhart	Richard	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 017

Bringer	Brown	Burnett	Cunningham 86	Donnelly
Dougherty	Green	Harris 23	Henke	Johnson 90
LeVota	Rector	Roark	Sager	Shoemyer
Skaggs	Walker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Boykins	Brooks	Hunter	Lager
Wright				

Speaker Pro Tem Jetton declared the bill passed.

SCS HCS HB 1215, relating to escape from commitment, was taken up by Representative Engler.

On motion of Representative Engler, **SCS HCS HB 1215** was adopted by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Boykins	Lager	Wright
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On motion of Representative Engler, **SCS HCS HB 1215** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Ice	Jackson	Jetton	Johnson 47	Johnson 61

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Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	Hunter	Lager	McKenna
Shoemaker	Wright			

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander

Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 007

Avery	Boykins	Lager	Lowe	McKenna
Wilson 42	Wright			

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 51 - Rules

COMMITTEE REPORTS

Committee on Agriculture, Chairman Myers reporting:

Madam Speaker: Your Committee on Agriculture, to which was referred **SS SCR 26**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 26

Relating to the Forestry Utilization Committee.

WHEREAS, the forestry industry is a vital industry to Missouri, representing over fourteen million acres of Missouri timberland, which ranks our state seventh out of the twenty northeastern timber states, supports the bulk of Missouri recreation and tourism, directly provides thousands of jobs and supports tens of thousands of jobs where forest land and products are a vital component, directly generates three billion dollars of revenue, and indirectly supports the generation of many more billions of dollars in revenue; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic contribution of this industry while making every attempt to minimize environmental harm and other negative aspects of the industry; and

WHEREAS, the industries' current practice of harvesting sixty percent of the tree, and its predominant production of low value-added products, limits the potential economic contribution to industry participants and to the state; and

WHEREAS, there exists a need for a study of the potential for increased industrial strength and rural economic gains to be realized by forestry adopting modern industrial business models and value-added techniques:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby authorize the creation of a "Forestry Utilization Committee", which shall review and evaluate both the industrial and economic impact of forestry utilization and make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such committee shall be composed of twenty-seven members, one member to be a member of the Missouri Senate to be appointed by the President Pro Tem of the Senate, two members to be members of the Missouri House of Representatives to be appointed by the Speaker of the House, two county commissioners appointed by the Missouri Association of Counties, two forest landowners representing small forestry holdings with owners of less than two hundred acres of timber and two representatives of large forestry holdings with greater than two hundred acres of timber, to be appointed by the Missouri Farm Bureau, two forest landowners to be appointed by the Missouri Conservation Federation, a representative from the Resource Conservation and Development Councils, a representative from the Missouri Department of Natural Resources' Energy Center, a representative from the Missouri Enterprise Business Assistance Center, a representative of the United States Department of Agriculture Forest Service's North Central Forest Experimental Station, a representative of the University of Missouri's School of Natural Resources, a representative of Value Missouri, a representative of the Society of American Foresters, a representative from the Missouri Department of Conservation's Division of Forestry, a representative of the Missouri Forest Products Association, a representative of the Missouri Department of Agriculture's Business Development Division, two representatives of a large-volume active sawmill and two representatives of a small-volume active sawmill appointed by the Missouri Forest Products Association, a representative of the School of Agricultural Sciences at Southwest Missouri State University and a representative of the Department of Agriculture, School of Polytechnic Studies at Southeast Missouri State University. Each member of the committee shall serve until December 31, 2005. A chairman, vice-chairman, and secretary shall be elected by the membership of the committee to conduct the business of the committee; and

BE IT FURTHER RESOLVED that the committee may conduct its business by various means but shall meet no less than twice each year as a full committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the committee in carrying out its duties, including allowing access to closed records, as permitted by law, provided that the committee shall not disclose any identifying information contained in such records closed pursuant to statute or general order, and any such information in the custody of the committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide minimal funding, administrative support, and staff for the effective operation of the committee; and

BE IT FURTHER RESOLVED that the committee shall study problems and solutions, collect information, and provide recommendations in a report to the General Assembly before July 30, 2005; and

BE IT FURTHER RESOLVED that the committee shall submit its final report to the General Assembly no later than December 31, 2005; and

BE IT FURTHER RESOLVED that the Forestry Utilization Committee shall terminate December 31, 2005; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution.

Committee on Children and Families, Chairman Phillips reporting:

Madam Speaker: Your Committee on Children and Families, to which was referred **SJR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Homeland Security and Veterans Affairs, Chairman Jackson reporting:

Madam Speaker: Your Committee on Homeland Security and Veterans Affairs, to which was referred **SCS SB 1171**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Judiciary, Chairman Byrd reporting:

Madam Speaker: Your Committee on Judiciary, to which was referred **SB 1076**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Transportation and Motor Vehicles, Chairman Crawford reporting:

Madam Speaker: Your Committee on Transportation and Motor Vehicles, to which was referred **SCS SJR 44**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 960, as amended**, and has taken up and passed **HCS SS SCS SB 960, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 975**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 988**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SCS HCS HBs 1074 & 1129** and has taken up and passed **HCS HBs 1074 & 1129**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1090**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1171**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1198**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1233**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1242** and has taken up and passed **HCS SB 1242**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1259**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1377**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1398**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1407**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1422**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1444**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1494**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1502**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1508**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 1529 & 1655**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1603**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1614**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1259** and has taken up and passed **HCS SB 1259**.

COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representatives Cunningham (86), Wallace and Baker have been appointed members of the Joint Committee on Education.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE
May 10, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
SECOND REGULAR SESSION
92ND GENERAL ASSEMBLY
STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 916** entitled:

“AN ACT”

To repeal sections 570.223 and 575.120, RSMo, and to enact in lieu thereof three new sections relating to identity theft, with penalty provisions.

On May 10, 2004, I approved said **Senate Committee Substitute for House Bill No. 916**.

Respectfully submitted,

/s/ Bob Holden
Governor

CONFERENCE COMMITTEE REPORT #2 ON SENATE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 978

The Conference Committee appointed on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 978;
3. That the attached Conference Committee Substitute for Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Anita Yeckel
/s/ Sen. Gary Nodler
/s/ Sen. Delbert Scott
/s/ Sen. Maida Coleman
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Neal St. Onge
/s/ Rep. Brian Baker
/s/ Rep. Richard Byrd
/s/ Rep. James Seigfreid
/s/ Rep. Trent Skaggs

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1099**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1099 with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1099, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 1099;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1099, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Michael Gibbons
/s/ Sen. Carl Vogel
/s/ Sen. John Griesheimer
/s/ Sen. Wayne Goode
/s/ Sen. Joan Bray

FOR THE HOUSE:

/s/ Rep. Tom Dempsey
/s/ Rep. Shannon Cooper (120)
/s/ Rep. David Pearce
/s/ Rep. Melba Curls

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1106**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1106, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1106;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 1106;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1106, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Charles Shields
/s/ Sen. Matt Bartle
/s/ Sen. Delbert Scott
/s/ Sen. Harold Caskey
/s/ Sen. Steve Stoll

FOR THE HOUSE:

/s/ Rep. Rob Schaaf
/s/ Rep. Robert Johnson (47)
/s/ Rep. Jim Guest
/s/ Rep. Ed Wildberger
/s/ Rep. Trent Skaggs

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Tuesday, May 11, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Jerry Bough, District 142, hereby state and affirm that my vote as recorded on Page 1615 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Jerry Bough
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rachel Bringer, District 6, hereby state and affirm that my vote as recorded on Page 1614 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Rachel Bringer
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark J. Bruns, District 113, hereby state and affirm that my votes as recorded on Pages 1611 and 1621 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Mark J. Bruns
State Representative

[illegible]

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Cunningham, District 145, hereby state and affirm that my vote as recorded on Page 1622 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Mike Cunningham
State Representative

[illegible]

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tom Dempsey, District 18, hereby state and affirm that my votes as recorded on Pages 1607- 1608 and 1620-1621 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Tom Dempsey
State Representative

[illegible]

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mike Dethrow, District 153, hereby state and affirm that my vote as recorded on Page 1608 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Mike Dethrow
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kathlyn Fares, District 91, hereby state and affirm that my vote as recorded on Pages 1621-1622 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Kathlyn Fares
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Barbara Wall Fraser, District 83, hereby state and affirm that my vote as recorded on Page 1610 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Barbara Wall Fraser
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Guest, District 5, hereby state and affirm that my vote as recorded on Page 1624 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Jim Guest
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 1607 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bob May, District 149, hereby state and affirm that my vote as recorded on Pages 1609 and 1616 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Bob May
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Scott T. Rupp, District 13, hereby state and affirm that my vote as recorded on Page 1622 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Scott T. Rupp
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sue Schoemehl, District 100, hereby state and affirm that my vote as recorded on Page 1613 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Sue Schoemehl
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

Subscribed and sworn to before me this 10th day of May in the year 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

Subscribed and sworn to before me this 10th day of May in the year 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

[illegible]

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jay Wasson, District 141, hereby state and affirm that my vote as recorded on Page 1622 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Philip Willoughby, District 33, hereby state and affirm that my votes as recorded on Pages 1621 and 1622 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Philip Willoughby
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dennis Wood, District 62, hereby state and affirm that my vote as recorded on Page 1605 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Dennis Wood
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Clint Zweifel, District 78, hereby state and affirm that my vote as recorded on Page 1619 of the House Journal for Friday, May 7, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2004.

/s/ Clint Zweifel
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Tuesday, May 11, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review. **CANCELLED**

BUDGET

Wednesday, May 12, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

BUDGET

Thursday, May 13, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

BUDGET

Friday, May 14, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 11, 2004, 8:00 a.m. House Lounge.

HCS HB 1617.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 11, 2004, 8:30 a.m. Senate Committee Room 2.

Conference Committee on SS HCS HB 1055.

TAX POLICY

Tuesday, May 11, 2004, House Chamber side gallery upon morning adjournment.

Public hearings to be held on: SB 847, SB 1165

Executive session will be held on: HB 1648, SB 847, SB 1165

HOUSE CALENDAR

SIXTY-SEVENTH DAY, TUESDAY, MAY 11, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)

- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)
- 20 HB 1678 - St. Onge (88)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTION FOR THIRD READING

HCS SS SCR 26, (5-10-04) - Myers (160)

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289 - 1290) - Engler (106)
- 2 SCR 34, (2-16-04, Page 331) - Crawford (117)
- 3 HCS SS SCS SCR 36, (5-06-04, Pages 1585 - 1586) - Stefanick (93)
- 4 HCS SCR 32, (5-07-04, Pages 1629 - 1630) - Fares (91)
- 5 SS SCR 47, HCA 1, (5-07-04, Pages 1631 - 1632) - Pearce (121)

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 SJR 29- Engler (106)
- 2 SCS SJR 44 - Crawford (117)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 758, E.C. - Nieves (98)
- 2 SB 772 - Daus (67)
- 3 SB 894 - Dusenberger (54)
- 4 SCS SB 962 - Lager (4)
- 5 SCS SB 974 - Rupp (13)
- 6 HCS SB 1114 - St. Onge (88)
- 7 HCS SCS SB 1181 - Ruestman (131)
- 8 SCS SB 1188, E.C. - Luetkemeyer (115)
- 9 SCS SB 1212 - Johnson (47)
- 10 SCS SB 1215 - Dixon (140)
- 11 HCS SB 1274 - Behnen (2)
- 12 HCS SB 1329 - Sutherland (99)
- 13 SB 781 - Byrd (94)

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- 14 HCS SCS SB 799 - Rupp (13)
- 15 SB 883 - Lager (4)
- 16 SCS SB 1044 - Pearce (121)
- 17 HCS SCS SB 1247 - Byrd (94)

(5/05/04)

- 1 HCS SCS SB 771 - Daus (67)
- 2 SCS SB 1075 - Jones (63)

(5/06/04)

- 1 SB 1296 - Dougherty (53)
- 2 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SCS SBs 1020, 889 & 869, HA 2 and HS, as amended, pending - Goodman (132)
- 3 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 4 HCS SCS SBs 1144, 919, & 874, E.C. - Schlottach (111)
- 5 SS SS SCS SB 715 - Johnson (47)
- 6 HCS SS SCS SB 968 and SCS SB 969, E.C. - Baker (123)
- 7 HCS SCS SB 1038 - Luetkemeyer (115)
- 8 HCS SCS SB 1365 - Jackson (89)
- 9 SB 966 - Smith (118)
- 10 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 11 SB 920 - Cooper (155)
- 12 SCS SB 1062 - Johnson (47)
- 13 SCS SB 1155 - Dempsey (18)
- 14 SCS SB 1045 - Haywood (71)
- 15 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 16 HCS SCS SB 1269 - Dempsey (18)
- 17 HCS SB 1211 - Byrd (94)
- 18 SCS SB 1265 - Byrd (94)
- 19 HCS SB 1391 - Black (161)
- 20 HCS SS SS SCS SB 1122 - Behnen (2)
- 21 SB 783, E.C. - Smith (118)
- 22 SCS SB 987 - Johnson (47)
- 23 SCS SB 1196 - Lager (4)
- 24 SCS SB 700, (Budget 5-06-04) - Angst (146)
- 25 SCS SB 827 - Byrd (94)
- 26 SB 1007 - Byrd (94)
- 27 HCS SS SCS SB 1034 - Marsh (136)
- 28 SB 1229 - Mayer (159)

- 29 SCS SB 1240 - Schlottach (111)
- 30 SCS SB 1262 - Engler (106)
- 31 SB 1344 - Dempsey (18)
- 32 HCS SCS SB 845 - Jackson (89)
- 33 HCS SB 900 - Schlottach (111)
- 34 HCS SCS SB 1225 - Hubbard (58)
- 35 HCS SB 1323 - Purgason (151)
- 36 HCS SCS SB 710 - Dusenberg (54)
- 37 SB 1153, HCA 1 - Hobbs (21)
- 38 HCS SS SCS SB 1183 - Johnson (47)
- 39 SCS SB 961 - Luetkemeyer (115)
- 40 HCS SCS SB 1116 - Pearce (121)
- 41 HCS SB 1394 - Cooper (120)
- 42 HCS SB 807 - Lembke (85)
- 43 HCS SCS SB 972 - McKenna (102)
- 44 HCS SCS SBs 1027 & 896 - Behnen (2)
- 45 SCS SB 810 - Myers (160)
- 46 HCS SS SB 1023 - Threlkeld (109)
- 47 SB 1064 - Cunningham (145)
- 48 HCS SB 1076 - Byrd (94)
- 49 HCS SCS SB 1171, E.C. - Jackson (89)

SENATE BILL FOR THIRD READING - INFORMAL

HCS SS SB 1000, HA 1 and HS, pending - Crowell (158)

SENATE BILL FOR THIRD READING - REVISION

SRB 1108 - Crowell (158)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate
recede/grant conference, pending, E.C. - Cunningham (86)
- 2 SCS HCS HB 1177, as amended - Guest (5)
- 3 SS HS HCS HB 1511, as amended - Byrd (94)
- 4 SS HS HCS HB 1207, as amended - Icet (84)
- 5 SCS HS HB 1193 - Self (116)
- 6 SCS HCR 21, (5-07-04, Pages 1633 - 1634) - Ruestman (131)

BILLS CARRYING REQUEST MESSAGES

- 1 HS SB 932, as amended, (request House recede / grant conference) - Wilson (130)
- 2 HS HB 1487, SA 1 to SA 1, SA 2 to SA 1, SA 1, as amended, and SA 2, (request Senate recede / grant conference), E.C. - Self (116)
- 3 SS SCS HCS HB 1288, as amended, (request Senate recede / grant conference) - Threlkeld (109)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 3 CCR SCS HCS HB 1305, as amended - Byrd (94)
- 4 CCR#2 SS HS HCS HB 978, as amended - Baker (123)
- 5 CCR HS HCS SS SCS SB 1099, as amended - Dempsey (18)
- 6 SCS HCS HB 959, as amended - Luetkemeyer (115)
- 7 HCS HB 1617, SSA 1 for SA 1 - Hanaway (87)
- 8 HS HCS SCS#2 SB 762, as amended, E.C. - Hanaway (87)
- 9 CCR CCS HCS SCS SB 1106, (exceed differences), E.C. - Schaaf (28)
- 10 SS HCS HB 1055, as amended - Bruns (113)
- 11 HS HCS SS SCS SB 1081, as amended, (exceed differences) - Pratt (55)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

HOUSE CONCURRENT RESOLUTION

HCR 41, (5-06-04, Pages 1587 - 1588) - Phillips (32)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, TUESDAY, MAY 11, 2004

The House met pursuant to adjournment.

Speaker Pro Tem Jetton in the Chair.

Prayer by Reverend Donald W. Lammers.

Let us pray.

“The Lord is the strength of His people,
the saving refuge of His anointed.
Save the people and bless your inheritance;
feed them and carry them forever!”
(Psalm 28:8-9)

Give us the strength, O Lord, to complete the work of this last week of our 2004 session. Many topics will come before us; some important issues must be decided. By Your grace may we discern what is best for those most in need, what sustains the common good, what is demanded by Your truth.

We pray to You, who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Haley Boxdorfer, Jim Koester, Andy Morton, Amy Ude, Eleanore Arden-Joly, Elizabeth Boyle, Anne-Marie Di Bisceglie, Chase Dribben, Ian Fletcher, Clayton Gwinnup, Andrea Harman, Meredith Hermann, Jimmy Hildreth, Katherine Kirchoff, Madeline Kirschner, Nora Kovacs, Alex Listrom, Margaret Mulligan, Mia Owens, Claire Pfeifer, Madison Qualy, David Rhodes, Jacqueline Schechter, Samantha Garner Scherrer, Elan Sharoff, Miltiades "Milti" Symeonoglou, Rachel McAllister, Zachary Arnold and Ashleigh Duncan.

The Journal of the sixty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2917 - Representative Meadows, et al
House Resolution No. 2918 - Representative Meadows
House Resolution No. 2919
through
House Resolution No. 2921 - Representative Johnson (47)

House Resolution No. 2922 - Representative Lembke
House Resolution No. 2923
through
House Resolution No. 2939 - Representative Jetton
House Resolution No. 2940
and
House Resolution No. 2941 - Representatives Deeken and Bruns
House Resolution No. 2942 - Representatives Lowe and Black
House Resolution No. 2943 - Representative Kuessner
House Resolution No. 2944 - Representative Munzlinger
House Resolution No. 2945 - Representative Bough
House Resolution No. 2946 - Representative Kelly (144)
House Resolution No. 2947 - Representative Moore
House Resolution No. 2948
and
House Resolution No. 2949 - Representative Hanaway
House Resolution No. 2950 - Representative Smith (14)
House Resolution No. 2951
and
House Resolution No. 2952 - Representative Zweifel
House Resolution No. 2953
and
House Resolution No. 2954 - Representative Wilson (119)
House Resolution No. 2955
through
House Resolution No. 2957 - Representative Lager
House Resolution No. 2958 - Representative Wasson

THIRD READING OF SENATE BILLS

SB 920, relating to the State Water Patrol, was taken up by Representative Cooper (155).

Representative Cooper (155) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 920, Section 306.169, Line 3, by deleting after the word "section" the number "306.167" and inserting in lieu thereof the number "306.165"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (155), **House Amendment No. 1** was adopted.

Representative Seigfreid offered **House Amendment No. 2**.

Representative Goodman raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Cooper (155), **SB 920, as amended**, was read the third time and passed by the following vote:

AYES: 122

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Bringer	Bruns	Byrd	Carnahan
Cooper 120	Cooper 155	Corcoran	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
El-Amin	Emery	Engler	Ervin	Fares
Fraser	Goodman	Green	Guest	Hampton
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Skaggs	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Walker	Wallace
Walton	Ward	Wasson	Willoughby	Wilson 119
Wilson 130	Witte	Wood	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 033

Bland	Brown	Burnett	Campbell	Dougherty
Dusenberg	George	Harris 110	Henke	Hoskins
Hunter	Jones	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Salva
Selby	Shoemyer	Spreng	Thompson	Villa
Vogt	Wagner	Walsh	Whorton	Wildberger
Wilson 25	Wilson 42	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Boykins	Brooks	Crawford	Darrough
Graham	Smith 118	Wright		

Speaker Pro Tem Jetton declared the bill passed.

HCS SCS SB 1269, relating to sales and use taxes, was taken up by Representative Dempsey.

Representative Dempsey offered **HS HCS SCS SB 1269**.

Representative Schaaf assumed the Chair.

Representative Corcoran offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1269, Page 57, Section 94.270, Line 23 of said page, by deleting the words “**twenty-five**” and by inserting in lieu thereof the words “**twenty-seven**”; and

Further amend said section, Page 58, Lines 9 and 10 of said page, by deleting the words “**thirteen dollars**” and by inserting in lieu thereof the words “**thirteen dollars and fifty cents**”.

On motion of Representative Corcoran, **House Amendment No. 1** was adopted.

Representative Barnitz offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

On motion of Representative Dempsey, **HS HCS SCS SB 1269, as amended**, was adopted.

On motion of Representative Dempsey, **HS HCS SCS SB 1269, as amended**, was read the third time and passed by the following vote:

AYES: 141

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crowell	Cunningham 145	Cunningham 86	Curls	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Engler
Ervin	Fares	Fraser	George	Goodman
Guest	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Ruestman	Rupp	Salva	Sander	Schaaf

Schlottach	Schneider	Schoemehl	Selby	Self
Shoemaker	Shoemyer	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 011

Brown	Burnett	Dusenberg	Emery	Green
Harris 110	Harris 23	Roark	Sager	Skaggs
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Boykins	Brooks	Crawford	Darrough
Graham	Hampton	Johnson 90	Seigfreid	Smith 118
Wright				

Representative Schaaf declared the bill passed.

Speaker Pro Tem Jetton resumed the Chair.

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SB 1000, with House Amendment No. 1, and HS, pending, relating to DNA profiling, was taken up by Representative Crowell.

Representative Goodman raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1000, Section 650.055, Page 10, Line 15, by inserting after all of said line the following:

“9. Notwithstanding the sovereign immunity of the state, an individual who is determined to be “actually innocent” of a crime may be paid restitution in accordance with this subsection. The individual may receive an amount of \$50.00 per day for each day of post-conviction incarceration for the crime for which the individual is determined to be actually innocent. The petition for the payment of said restitution shall be filed with the sentencing court within one year of the release from confinement after August 28, 2003. For the purposes of this subsection the term “actually innocent” shall mean:

- (a) The individual was convicted of a felony for which a final order of release was entered by the court;**
- (b) All appeals of the order of release have been exhausted;**

(c) The individual was not serving any term of a sentence for any other crime concurrently with the sentence for which they are determined to be actually innocent; and

(d) Testing ordered pursuant to section 547.035, RSMo demonstrates a person's innocence of the crime for which the person is in custody.

An individual who receives restitution pursuant to this subsection shall be prohibited from seeking any civil redress from the state, its departments and agencies, or any employee thereof, or any political subdivision or its employees. This subsection shall not be construed as a waiver of sovereign immunity for any purposes other than the restitution provided for herein. All restitution paid pursuant to this subsection shall be paid from moneys in the DNA profiling analysis fund. The department shall determine the aggregate amount of restitution owed during a fiscal year. If moneys remain in the fund on June 30th of each fiscal year, the remaining moneys shall be used to pay restitution to those individuals who have received an order awarding restitution under this subsection during the past fiscal year. If insufficient moneys remain in the fund on June 30th of each fiscal year to pay restitution to such persons, the department shall pay each individual who has received an order awarding restitution a pro rata share of the amount such person is owed. The remaining amounts owed to such individual shall be paid from the fund on June 30th of each subsequent fiscal year, provided moneys remain in the fund on June 30th, until such time as the restitution to the individual has been paid in full. No interest on unpaid restitution shall be awarded to the individual. If there are no moneys remaining in the DNA profiling analysis fund, then no payments shall be made under this subsection. No individual who has been determined by the court to be actually innocent shall be responsible for the costs of care under section 217.831, RSMo.

10. If the results of the DNA testing confirm the person's guilt, then the person filing for DNA testing under section 547.035, RSMo shall:

(a) Be liable for any reasonable costs incurred when conducting the DNA test, including but not limited to the cost of the test. Such costs shall be determined by the court and shall be included in the findings of fact and conclusions of law made by the court; and

(b) Be sanctioned under the provisions of section 217.262, RSMo.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Henke offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

Representative Dixon offered **House Amendment 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1000, Page 6, Section 650.055, Line 9, by inserting after the word “RSMo.”; the following:

“or has been determined beyond a reasonable doubt to be a sexually violent predator pursuant to 632.480 to 632.513, RSMo.”.

On motion of Representative Dixon, **House Amendment No. 3** was adopted.

On motion of Representative Crowell, **HS HCS SS SB 1000, as amended**, was adopted.

On motion of Representative Crowell, **HS HCS SS SB 1000, as amended**, was read the third time and passed by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crowell	Cunningham 145
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Avery	Black	Crawford	Cunningham 86	Darrough
Hampton	Miller	Pratt	Rupp	Smith 118
Townley	Wright			

Speaker Pro Tem Jetton declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SCS SB 968 and SCS SB 969, relating to school personnel, was taken up by Representative Baker.

Representative Baker offered **HS HCS SS SCS SB 968 and SCS SB 969**.

Representative Baker offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, Page 22 to 28, Section 162.081, by deleting all of said section from the bill; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Baker, **House Amendment No. 1** was adopted.

Representative Walker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, Page 80, Section 209.321, Lines 23-24 of said page, by striking all of said lines; and

Further amend said bill and section, Page 81, Lines 1-18 of said page, by striking all of said lines and inserting in lieu thereof the following:

“8. (1) The board for certification of interpreters shall grant a provisional certificate in education for any applicant who meets either of the following criteria:

(a) The applicant possesses a current valid certification in the Missouri interpreters certification system at either the novice or apprentice level and holds a valid license to provide interpreting services; or

(b) The applicant has submitted an application for certification in the Missouri interpreters certification system and an application for an interpreting license pursuant to sections 209.319 to 209.339 and has taken the written test and performance test or attests that he will complete the certification and licensure applications and take the written test within sixty days following the date of application for a provisional certificate in education and will complete the performance test within sixty days following passage of the written test.

(2) The board shall issue the provisional certificate in education within ten business days following receipt of a complete application.

(3) A provisional certificate issued under paragraph a of subdivision 1 of this subsection shall be valid for a term of three years and shall be renewed by the board, upon request by the certificate holder, for one additional term of three years if the certificate holder is reevaluated during the first term of issuance and achieves a higher level of certification in the Missouri interpreter certification system.

(4) A provisional certificate issued under paragraph b of subdivision 1 of this subsection shall be valid for one year and shall be renewed, upon request of the certificate holder, pursuant to subdivision 3 of this subsection if the certificate holder is reevaluated during the term of issuance and achieves a certification in the Missouri interpreters certification system. Such renewed certificate shall be subject to the term length and renewal provisions of subdivision 3 of this subsection.

(5) A provisional certificate in education shall be limited to providing interpreting services in preschool, elementary and secondary school settings or as allowed by any other valid Missouri certification or license held by the individual.

(6) A provisional certificate in education may be revoked by the board if the person makes any misrepresentations or fails to fulfill any commitment made pursuant to paragraph b of subdivision 1 of this subsection, or violates section 209.317 or 209.334 or breaks any of the ethical rules of conduct for interpreters as established by state rule or fails to obtain the necessary continuing education credits required for certification maintenance.”.

Speaker Hanaway assumed the Chair.

On motion of Representative Walker, **House Amendment No. 2** was adopted.

HCS SS SCS SB 968 and SCS SB 969, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS HCS HB 1055, as amended**: Senators Vogel, Bartle, Cauthorn, Caskey and Bray.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1093**, entitled:

An act to amend chapter 209, RSMo, by adding thereto three new sections relating to rights of persons with service dogs, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1093, Page 2, Section 209.202, Line 13 of said page, by striking all of said line and inserting in lieu thereof the following:

“who knowingly, intentionally or recklessly fails to exercise sufficient controls over the animal to”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 1288, as amended**, and grants the House a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HCS HB 1433**, entitled:

An act to repeal sections 278.258, 644.076, 701.031, 701.033, 701.037, and 701.038, RSMo, and to enact in lieu thereof eleven new sections relating to regulation of water and sewer systems.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1433, Page 5, Section 249.1152, Line 1, by inserting at the end of said line the following:

“of the third classification”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2 to HS HB 1487**, and grants the House a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 884**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SS SCS SB 1081, as amended**: Senators Kinder, Gross, Vogel, Callahan and Coleman.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 1099, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 1099**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 1106**, and has taken up and passed **CCS HCS SCS SB 1106**.

Emergency clause adopted.

BILLS CARRYING REQUEST MESSAGES

HS SB 932, as amended, relating to unemployment compensation, was taken up by Representative Wilson (130).

Representative Wilson (130) moved that the House refuse to recede from its position on **HS SB 932, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 884, relating to republication of statutes, was taken up by Representative Lager.

Representative Lager moved that the House refuse to recede from its position on **HCS SB 884** and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS SB 932: Representatives Wilson (130), Hunter, Smith (118), George and Burnett

HS HB 1487: Representatives Self, Goodman, Smith (118), Jolly and Bringer

SS SCS HCS HB 1288: Representatives Threlkeld, Guest, St. Onge, Whorton and Henke

HS HCS SS SCS SB 1081: Representatives Pratt, Wasson, Brown, Johnson (90) and Selby

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2959 - Representative Carnahan

House Resolution No. 2960

and

House Resolution No. 2961 - Representative Schaaf

House Resolution No. 2962 - Representative Richard

House Resolution No. 2963

and

House Resolution No. 2964 - Representative Lager

House Resolution No. 2965 - Representative Wildberger

House Resolution No. 2966 - Representative Skaggs

House Resolution No. 2967 - Representative Kelly (36)

House Resolution No. 2968

through

House Resolution No. 2971 - Representative Wilson (130)

House Resolution No. 2972 - Representative Riback Wilson (25)

House Resolution No. 2973 - Representative Hubbard

House Resolution No. 2974

and

House Resolution No. 2975 - Representative Marsh

House Resolution No. 2976 - Representative Fraser

House Resolution No. 2977 - Representative Crowell

House Resolution No. 2978 - Representatives Crowell and Lipke

House Resolution No. 2979 - Representative May

House Resolution No. 2980 - Representative Myers

House Resolution No. 2981 - Representative Mayer

House Resolution No. 2982

through

House Resolution No. 2986 - Representatives Kuessner and Harris (110)

SPECIAL PRESENTATION

The Heartland Children's Choir was introduced by Representatives Bean and Kingery. The choir performed "The Missouri Waltz" and "God Bless America".

THIRD READING OF SENATE BILLS

HCS SS SCS SB 968 and SCS SB 969, with HS, as amended, pending, relating to school personnel, was again taken up by Representative Baker.

Representative Sanders Brooks offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, Section 167.166, Page 59, Line 12 of said page, by inserting after the words "**employee of**" the following:

"or volunteer at"; and

Further amend said section and page, Lines 20 and 21 of said page, by deleting the words "**probable to cause**" and inserting in lieu thereof the following:

"that poses an imminent threat of"; and

Further amend said section, Page 60, Lines 9 and 10, by deleting the words "**disciplined immediately in accordance with applicable law**" and inserting in lieu thereof the following:

"immediately suspended without pay, pending an evidentiary hearing when such employee is entitled by statute or contract to such hearing. If an employee is not entitled to such evidentiary hearing, the employee shall be suspended pending completion of due process or further disciplinary action as provided in the district's personnel policies, as applicable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sanders Brooks, **House Amendment No. 3** was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Angst
Bivins
Byrd

Baker
Black
Cooper 120

Bean
Bough
Cooper 155

Bearden
Brown
Crawford

Behnen
Bruns
Crowell

Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Curls	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
Lawson	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Corcoran	Darrough	McKenna	Salva
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On motion of Representative Baker, **HS HCS SS SCS SB 968 and SCS SB 969, as amended**, was adopted by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Carnahan	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky

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Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 005

Burnett	Campbell	Wilson 25	Wilson 42	Young
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PRESENT: 002

Johnson 61	Lowe
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ABSENT WITH LEAVE: 006

Avery	Corcoran	Darrough	McKenna	Page
Salva				

On motion of Representative Baker, **HS HCS SS SCS SB 968 and SCS SB 969, as amended**, was read the third time and passed by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Carnahan	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 122	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberger
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider

Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 004

Burnett	Campbell	Wilson 42	Young
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PRESENT: 002

Johnson 61	Lowe
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ABSENT WITH LEAVE: 006

Avery	Corcoran	Darrough	Davis 19	McKenna
Walsh				

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Brooks	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 120	Cooper 155
Crawford	Crowell	Cunningham 145	Cunningham 86	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton

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Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 015

Bland	Bringer	Campbell	Curls	Donnelly
Fraser	Hoskins	Sager	Selby	Skaggs
Vogt	Whorton	Wilson 25	Wilson 42	Young

PRESENT: 002

Johnson 61	Johnson 90
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ABSENT WITH LEAVE: 008

Avery	Corcoran	Darrough	Hampton	McKenna
Salva	Schneider	Smith 118		

BILL IN CONFERENCE

CCR HS HCS SS SCS SB 1099, as amended, relating to tax credits, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **CCR HS HCS SS SCS SB 1099, as amended**, was adopted by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley

Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Corcoran	Darrough	Hampton	McKenna
Rector	Salva	Smith 118	Wasson	

On motion of Representative Dempsey, **CCS HS HCS SS SCS SB 1099** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Iceet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Corcoran	Darrough	Hampton	McKenna
Salva	Smith 118	Wasson		

Speaker Hanaway declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SCS SBs 1020, 889 & 869, with House Amendment No. 2 and HS, as amended, pending, relating to the open records law, was taken up by Representative Goodman.

Representative Behnen assumed the Chair.

Representative Byrd moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Angst	Baker	Bean	Bearden
Bivins	Black	Boykins	Brooks	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Cunningham 145
Cunningham 86	Deeken	Dempsey	Dethrow	Dougherty
Dusenberg	El-Amin	Emery	Engler	Fares
Guest	Hobbs	Hunter	Icet	Jackson
Jetton	Johnson 47	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Luetkemeyer	May	Mayer	Miller
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Ruestman	Rupp	Schaaf
Schneider	Seigfreid	Smith 118	Smith 14	St. Onge
Stevenson	Sutherland	Townley	Villa	Walton
Wasson	Wilson 119	Yates		

NOES: 080

Barnitz	Behnen	Bishop	Bland	Bough
Bringer	Burnett	Campbell	Carnahan	Crawford
Crowell	Curls	Daus	Davis 122	Davis 19
Dixon	Donnelly	Ervin	Fraser	George
Goodman	Graham	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Holand	Hoskins
Johnson 90	Jolly	Jones	LeVota	Liese
Lipke	Lowe	Marsh	Meadows	Meiners
Moore	Morris	Muckler	Page	Portwood
Ransdall	Roark	Sager	Sander	Schlottach
Schoemehl	Selby	Self	Shoemaker	Shoemyer
Skaggs	Spreng	Stefanick	Swinger	Taylor
Thompson	Threlkeld	Viebrock	Vogt	Walker
Wallace	Walsh	Ward	Whorton	Wildberger
Willoughby	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Young	Zweifel	Madam Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Corcoran	Darrough	Hampton	Hubbard
Johnson 61	McKenna	Salva	Wagner	Wilson 42

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **House Amendment No. 2.**

Representative Engler offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Page 3, Section 493.050, Line 23 of said page, by inserting after all of said line the following:

"537.805. 1. Any person who:

- (1) Knowingly presents or causes to be presented, to an official or employee of the state, a false or fraudulent claim for payment or approval;**
- (2) Knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the state;**
- (3) Knowingly delivers, or causes to be delivered, less property or money used, or to be used, by the state, than the amount for which the person receives a certificate or receipt;**
- (4) Knowingly delivers a document certifying receipt of property used, or to be used, by the state without completely knowing that the information on the receipt is true;**
- (5) Knowingly buys or receives as a pledge of an obligation or debt, public property from an official or employee of the state who lawfully may not sell or pledge the property;**
- (6) Knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the state;**
- (7) Conspires to defraud the state by getting a false or fraudulent claim allowed or paid;**

is liable to the state for a penalty for each false claim of not less than five thousand dollars and not more than ten thousand dollars, plus three times the amount of actual damages which the state sustains because of the act of that person.

2. If the court finds that:

- (1) The person committing the violation of this section furnished officials of the state responsible for investigating false claims violations with all information known to such person about the violation within thirty days after the date on which the defendant first obtained the information;**
- (2) Such person fully cooperated with any state investigation of such violation; and**
- (3) At the time such person furnished the state with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced with respect to such violation, and the person did not have actual knowledge of the existence of an investigation into such violation;**

the court may assess only the amount of damages which the state sustains because of the act of the person. The court may also grant immunity from criminal prosecution to such person for good cause at the request of the state. Any person violating subsection 1 of this section shall also be liable for the costs of any civil action brought to recover any such damages or penalties.

3. The state may dismiss the action, notwithstanding the objections of the person initiating the action if the person has been notified by the state of the filing of the motion and the court has provided the person with an opportunity for a hearing on the motion.

4. The state may settle the action with the defendant notwithstanding the objections of the person initiating the action if the court determines, after a hearing, that the proposed settlement is fair, adequate, and reasonable under all the circumstances. Upon a showing of good cause, such hearing may be held in camera.

5. As used in this section the following terms shall mean:

(1) "Claim", includes, but is not limited to, each request or demand, whether under a contract or otherwise, for money or property which is made to the state or to a contractor, grantee, or other recipient if the state provides any portion of the money or property which is requested or demanded, or if the state will reimburse such contractor, grantee, or other recipient for any portion of the money or property which is requested or demanded;

(2) "Knowing" and "Knowingly", a person:

(a) Has actual knowledge of the information;

(b) Acts in deliberate ignorance of the truth or falsity of the information; or

(c) Acts with specific intent to defraud.

537.810. 1. The attorney general shall investigate violations of section 537.805. The attorney general may bring a civil action in the name of the state if the attorney general finds that a person has violated or is violating section 537.805. But if any action involving the same violations has already been filed by a person under section 537.805, the state may only intervene in it as set forth in this section.

2. Any person may bring a civil action for a violation of section 537.805 in the name of the person and on behalf of the state. No such action shall be dismissed without the written consent of the attorney general after court approval.

3. The complaint shall be filed in camera, shall remain under seal for up to one hundred eighty days from the date of filing, and shall not be served on the defendant until the court so orders.

4. A copy of the petition filed by any person pursuant to sections 537.805 to 537.810 shall be served on the attorney general along with a disclosure statement describing the fraudulent acts or omissions and setting forth all evidence known to the person in support of the claims. The attorney general may proceed with the action by entering an appearance within one hundred eighty days of being served. The attorney general may, for good cause, extend such one hundred eighty day period upon request to the court, as necessary and may, for good cause shown, move the court for extensions of the time during which the complaint remains under seal pursuant to subsection 3 of this section. Any such motions may be supported by affidavits or other submissions in camera. The court may not grant extensions beyond one year from the date the action was filed. The defendant shall not be required to respond to any complaint filed pursuant to this section until thirty days after the complaint is unsealed and served upon the defendant. The person bringing the action may proceed with the action if the attorney general:

(1) By the end of the one hundred eighty day period or whatever extensions are granted by the court does not file a motion to intervene or obtain a continuance of the aforesaid time period; or

(2) Does not proceed with the action with reasonable diligence within six months after filing a motion to intervene, or within additional time the court allows after notice to the person bringing the action.

5. Except as provided in subsection 8 of this section, when a person brings an action pursuant to this section, no one else may bring a related action based on the facts underlying the pending action and only the attorney general may intervene pursuant to subsection 4 of this section.

6. If the attorney general initiates or intervenes in the action, it shall be conducted solely by the state, with notice of all proceedings to the person who filed the action as another party. The state is not bound by any act of the person bringing the action.

7. Unless the state proceeds with the action, the court shall dismiss an action brought by the person if the action is based on evidence or information known to the state when the action was brought.

8. If the false or fraudulent claim involves the attorney general's office, then the state auditor shall assume all powers, duties, and obligations that the attorney general has pursuant to section 537.805 and this section.

9. If the state proceeds with the action, the person bringing the action may receive an amount the court decides is reasonable. The amount may not be more than twenty-five percent nor less than fifteen percent of the proceeds of the action and shall be paid out of those proceeds. The person shall also receive reasonable attorney's fees and costs, to be awarded against the defendant.

10. If the state does not proceed with an action, the person bringing the action may receive an amount the court decides is reasonable. The amount may not be more than thirty-five percent nor less than twenty-five percent of the proceeds of the action or settlement and shall be paid out of those proceeds. The person may also recover costs and reasonable attorney's fees from the defendant.

11. The state shall not be liable for costs or attorney's fees a person incurs in bringing an action pursuant to this section.

12. No court shall have jurisdiction over an action brought under this section by a former or present member of the armed forces against a member of the armed forces arising out of such person's service in the armed forces.

13. No court shall have jurisdiction over an action brought under this section against a member of the general assembly, a member of the judiciary, or a senior executive branch official if the action is based on evidence or information known to the government when the action was brought.

14. In no event may a person bring an action which is based upon allegations or transactions which were the subject of a civil suit or an administrative civil monetary penalty proceeding in which the government is already a party.

15. No court shall have jurisdiction over an action under this section based upon the public disclosure of allegations or transactions in a criminal, civil, or administrative hearing, in a report, hearing, audit, or investigation by the general assembly or the executive branch, or from the news media, unless the action is brought by the attorney general or the person bringing the action is an original source of the information. For purposes of this subsection, "original source" means an individual who has direct and independent knowledge of the information on which the allegations are based and has voluntarily provided the information to the government before filing an action under this section which is based on the information."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 3** was adopted.

Representative Portwood offered **House Amendment No. 4**.

Representative Richard raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Behnen requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Stevenson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Section 610.023, Page 21, Line 16 of said page, by inserting immediately after the word "**available**" the following:

"**without additional cost to the public body**".

On motion of Representative Stevenson, **House Amendment No. 5** was adopted.

Representative Skaggs offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, by inserting on Page 1, Section A, Line 5, after all of said line the following:

"197.150. 1. As used in this section, the term "public hospital" means a hospital organized pursuant to section 81.190 or 82.240, RSMo, sections 96.150 to 96.228, RSMo, sections 205.160 to 205.379, RSMo, or sections 206.010 to 206.160, RSMo.

2. The meetings and records of a public hospital shall not be construed to be a public record or a public meeting as defined in subdivisions (5) and (6) of section 610.010, RSMo, if:

(1) The public hospital does not receive money from a tax levy imposed by the city, county, or hospital district that established the hospital; and

(2) The public hospital waives its right to claim sovereign or governmental tort immunity protection available pursuant to sections 537.600 to 537.615, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 6** was adopted.

Representative Haywood offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Page 10, Section 610.020, Line 19 of said page, by adding at the end of said line the following:

"However, no audio or video recording of any meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted unless all persons present consent to such recording; any person who violates this provision shall be guilty of a class D felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Haywood moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Pratt offered **House Amendment No. 8**.

Speaker Hanaway resumed the Chair.

Representative Harris (23) raised a point of order that **House Amendment No. 8** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

House Amendment No. 8 was withdrawn.

Representative Haywood offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Page 10, Section 610.020, Line 19 of said page, by adding at the end of said line the following:

"No audio recording of any meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted unless all persons present consent to such recording; any person who violates this provision shall be guilty of a class D felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lipke raised a point of order that **House Amendment No. 9** is dilatory.

The Chair ruled the point of order not well taken.

On motion of Representative Haywood, **House Amendment No. 9** was adopted by the following vote:

AYES: 140

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberger	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hubbard	Hunter	Iceet
Jackson	Jetton	Johnson 47	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Rupp
Sager	Sander	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemyer	Smith 118
Smith 14	Spreng	Stefanick	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 005

Cunningham 86	Morris	Ruestman	Schaaf	Townley
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PRESENT: 001

Hoskins

ABSENT WITH LEAVE: 017

Avery	Bringer	Corcoran	Darrough	Hampton
Hilgemann	Holand	Johnson 61	McKenna	Salva
Shoemaker	Skaggs	St. Onge	Stevenson	Walker
Ward	Wright			

Representative Bishop offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, Section 610.029, Page 29, Line 15 of said page, by adding after all of said line the following:

“610.035. No state entity **or political subdivision** shall publicly disclose any Social Security number of a living person unless such disclosure is permitted by federal law, federal regulation or state law or unless such disclosure is authorized by the holder of that Social Security number or unless such disclosure is for use in connection with any civil, criminal, administrative or arbitral proceeding in any federal, state or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state or local court. Notwithstanding any other provision of law to the contrary, the disclosure of Social Security numbers of deceased persons shall be lawful, provided that the state [agency] **entity or political subdivision** disclosing the information knows of no reason why such disclosure would prove detrimental to the deceased individual's estate or harmful to the deceased individual's living relatives. For the purposes of this section, "publicly disclose" shall not include the use of any Social Security number by any state entity **or political subdivision** in the performance of any statutory or constitutional duty or power or the disclosure of any Social Security number to another state [entity] **agency**, political subdivision, agency of the federal government, agency of another state or any private person or entity acting on behalf of, or in cooperation with, a state entity. Any person or entity receiving a Social Security number from any entity shall be subject to the same confidentiality provisions as the disclosing entity. For purposes of this section, "state entity" means any state department, division, agency, bureau, board, commission, employee or any agent thereof. When responding to any requests for public information pursuant to this chapter, any costs incurred by any state entity **or political subdivision** complying with the provisions of this section may be charged to the requester of such information.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bishop, **House Amendment No. 10** was adopted.

On motion of Representative Goodman, **HS HCS SCS SBs 1020, 889 & 869, as amended**, was adopted.

On motion of Representative Goodman, **HS HCS SCS SBs 1020, 889 & 869, as amended**, was read the third time and passed by the following vote:

AYES: 137

Abel	Angst	Baker	Barnitz	Bean
Behnen	Bishop	Bivins	Black	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 155
Crawford	Crowell	Cunningham 145	Curls	Daus
Davis 122	Davis 19	Deeken	Dethrow	Dixon
Donnelly	Dougherty	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green

Guest	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	King	Kingery	Kratky
Kuessner	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Spreng	St. Onge	Stefanick	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Witte	Wood	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 018

Bearden	Bland	Cooper 120	Cunningham 86	Dusenberg
El-Amin	Emery	Hoskins	Jackson	Jetton
Kelly 144	Lager	Phillips	Pratt	Smith 14
Stevenson	Wilson 42	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Corcoran	Darrough	Dempsey	Hampton
McKenna	Salva	Wright		

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Abel	Angst	Baker	Barnitz	Bean
Behnen	Bishop	Bivins	Black	Bough
Bringer	Bruns	Byrd	Carnahan	Cooper 155
Crawford	Crowell	Cunningham 145	Daus	Davis 122
Davis 19	Deeken	Dethrow	Dixon	Donnelly
Dougherty	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Harris 110
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Icet	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lawson	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Portwood

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Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Spreng	St. Onge	Stefanick	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Yaeger	Young	Zweifel	Madam Speaker	

NOES: 027

Bearden	Bland	Brooks	Brown	Cooper 120
Cunningham 86	Dusenberg	El-Amin	Emery	Green
Henke	Hoskins	Jackson	Jetton	Kelly 144
Lager	Lembke	Phillips	Pratt	Sager
Selby	Smith 14	Stevenson	Walker	Wasson
Wilson 42	Yates			

PRESENT: 003

Boykins	Campbell	Curls
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ABSENT WITH LEAVE: 009

Avery	Burnett	Corcoran	Darrough	Dempsey
Hampton	McKenna	Salva	Wright	

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 884: Representatives Byrd, Lager, Yates, Willoughby and Vogt

THIRD READING OF SENATE BILLS - CONSENT

HCS SCS SB 758, relating to local taxes, was taken up by Representative Nieves.

On motion of Representative Nieves, **HCS SCS SB 758** was adopted.

On motion of Representative Nieves, **HCS SCS SB 758** was read the third time and passed by the following vote:

AYES: 126

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Boykins
Bringer	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Curls	Daus	Davis 122	Davis 19	Deeken
Dethrow	Dixon	Dougherty	Emery	Engler

Fares	Fraser	George	Goodman	Graham
Guest	Harris 110	Haywood	Henke	Hilgemann
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Witte	Wood	Yaeger	Young	Zweifel
Madam Speaker				

NOES: 028

Barnitz	Bishop	Bland	Brooks	Brown
Burnett	Cunningham 86	Donnelly	Dusenberg	Ervin
Green	Harris 23	Hoskins	Hubbard	Johnson 90
LeVota	Meadows	Page	Pratt	Roark
Sager	Shoemyer	Skaggs	Stevenson	Walton
Willoughby	Wilson 42	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Corcoran	Darrough	Dempsey	El-Amin
Hampton	McKenna	Salva	Wright	

Speaker Hanaway declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 098

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bruns	Byrd	Carnahan
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Daus	Davis 19	Deeken	Dixon	Dougherty
Engler	Fares	Fraser	George	Goodman
Graham	Guest	Hilgemann	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lawson	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Sander	Schaaf

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Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Wallace
Walsh	Wasson	Wilson 119	Wilson 130	Wilson 25
Wood	Zweifel	Madam Speaker		

NOES: 050

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Brown	Burnett	Cunningham 86
Dethrow	Donnelly	Dusenberg	Emery	Ervin
Green	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Johnson 61	Johnson 90	Kuessner
LeVota	Liese	Meadows	Page	Pratt
Purgason	Roark	Sager	Schoemehl	Shoemyer
Skaggs	Spreng	Swinger	Vogt	Walker
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 42	Witte	Yaeger	Yates	Young

PRESENT: 007

Bough	Campbell	Curls	Davis 122	El-Amin
Lowe	Ransdall			

ABSENT WITH LEAVE: 008

Avery	Corcoran	Darrough	Dempsey	Hampton
McKenna	Salva	Wright		

HCS SB 1114, relating to removal of nuisances, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HCS SB 1114** was adopted.

On motion of Representative St. Onge, **HCS SB 1114** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners

Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Witte	Wood	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

Harris 110 Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Corcoran	Darrough	Hampton	McKenna
Ruestman	Salva	Stevenson	Wright	

Speaker Hanaway declared the bill passed.

HCS SCS SB 1181, relating to physical therapists, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **HCS SCS SB 1181** was adopted.

On motion of Representative Ruestman, **HCS SCS SB 1181** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore

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Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Hoskins

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Corcoran	Darrough	Hampton	Johnson 90
Lowe	McKenna	Salva	Wright	

Speaker Hanaway declared the bill passed.

HCS SB 1274, relating to the Missouri Area Education Fund, was taken up by Representative Behnen.

On motion of Representative Behnen, **HCS SB 1274** was adopted.

On motion of Representative Behnen, **HCS SB 1274** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	Meadows	Meiners	Miller

Moore	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Corcoran	Darrough	Guest	Hampton
Lowe	McKenna	Morris	Salva	Wright

Speaker Hanaway declared the bill passed.

HCS SB 1329, relating to emergency services boards, was taken up by Representative Sutherland.

Representative Sutherland offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 1329, Page 1, Section 190.342, Line 5, by striking "190.335" and inserting in lieu thereof the following:

"190.344"; and

Further amend said bill, Page 4, Section 190.346, Line 7, by striking "190.335" and inserting in lieu thereof the following:

"190.344"; and

Further amend Line 17, by striking "190.330 to 190.341" and inserting in lieu thereof the following:

"190.342 to 190.348"; and

Further amend said bill and section, Page 5, Line 35, by striking "190.330 to 190.341" and inserting in lieu thereof the following:

"190.342 to 190.348"; and

Further amend Line 50, by striking "190.335" and inserting in lieu thereof the following:

"190.344"; and

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Further amend said bill, Page 7, Section 190.348, Line 19, by striking "190.335" and inserting in lieu thereof the following:

"190.344".

On motion of Representative Sutherland, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Sutherland, **HCS SB 1329, as amended**, was adopted.

On motion of Representative Sutherland, **HCS SB 1329, as amended**, was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Iceet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Corcoran	Darrough	Hampton	McKenna
Salva	Smith 118	Wright		

Speaker Hanaway declared the bill passed.

HCS SCS SB 799, relating to stillbirth; disposition of fetal remains, was taken up by Representative Rupp.

On motion of Representative Rupp, **HCS SCS SB 799** was adopted.

On motion of Representative Rupp, **HCS SCS SB 799** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Rupp	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Sager

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 008

Avery	Corcoran	Darrough	Hampton	McKenna
Ruestman	Salva	Wright		

Speaker Hanaway declared the bill passed.

HCS SCS SB 1247, relating to the State Legal Expense Fund, was taken up by Representative Byrd.

On motion of Representative Byrd, **HCS SCS SB 1247** was adopted.

On motion of Representative Byrd, **HCS SCS SB 1247** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Corcoran	Crawford	Darrough	Hampton
Johnson 90	McKenna	Salva	Wright	

Speaker Hanaway declared the bill passed.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 795, 972, 1128 and 1161**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 and 1161, with Senate Amendment Nos. 1, 2, 3, 4, 5, 7, Senate Substitute Amendment No. 2 for Senate Amendment No. 8, Senate Amendment Nos. 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, Senate Amendment No. 1 to Senate Amendment No. 25, Senate Amendment No. 25 as amended, and Senate Amendment Nos. 26, 27, 28, 30, and 31, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 and 1161, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 795, 972, 1128 and 1161;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 795, 972, 1128 and 1161, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Doyle Childers
/s/ Sen. John Griesheimer
/s/ Sen. Matt Bartle
/s/ Sen. James Mathewson

FOR THE HOUSE:

/s/ Rep. Robert Johnson (47)
/s/ Rep. Randy Angst
/s/ Rep. Jason Brown
/s/ Rep. Jim Whorton
/s/ Rep. Rachel Bringer

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 959**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 959, with Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 959, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 959;
3. That the attached Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 959, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Anita Yeckel
/s/ Sen. Chuck Gross
/s/ Sen. Jon Dolan
/s/ Sen. James Mathewson
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Blaine Luetkemeyer
/s/ Rep. Sherman Parker
/s/ Rep. Ronald Richard
/s/ Rep. Michael Vogt
/s/ Rep. Michael Spreng

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1055**

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Bill No. 1055, with Senate Amendment Nos. 1, 3, 4, 6, 7, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Bill No. 1055, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1055;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 1055, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Carl Vogel
/s/ Sen. Matt Bartle
/s/ Sen. John Cauthorn
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Mark Bruns
/s/ Rep. Bob Dixon
/s/ Rep. Robert Mayer
/s/ Rep. Cathy Jolly
/s/ Rep. Terry Witte

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1617**

The Conference Committee appointed on House Committee Substitute for House Bill No. 1617, with Senate Substitute Amendment No. 1 for Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Committee Substitute for House Bill No. 1617, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1617;
3. That the attached Conference Committee Substitute for House Committee Substitute for House Bill No. 1617, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Matt Bartle
/s/ Sen. Anita Yeckel
/s/ Sen. Delbert Scott
/s/ Sen. Harold Caskey
/s/ Sen. Harry Kennedy

FOR THE HOUSE:

/s/ Rep. Catherine Hanaway
/s/ Rep. Scott Lipke
/s/ Rep. Marilyn Ruestman
/s/ Rep. John Burnett
/s/ Rep. Russ Carnahan

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR**

**SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1081**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081, House Amendment Nos. 1, 2, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1081, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Peter Kinder
/s/ Sen. Chuck Gross
/s/ Sen. Carl Vogel
/s/ Sen. Victor Callahan
/s/ Sen. Maida Coleman

FOR THE HOUSE:

/s/ Rep. Bryan Pratt
/s/ Rep. Jay Wasson
/s/ Rep. Jason Brown

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 1941 - Education

HR 2913 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 40 - Health Care Policy

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 926 - Corrections and State Institutions
HB 1756 - Transportation and Motor Vehicles
HB 1759 - Education
HB 1760 - Health Care Policy
HB 1761 - Education
HB 1762 - Senior Security
HB 1763 - Transportation and Motor Vehicles
HB 1764 - Crime Prevention and Public Safety
HB 1765 - Elections
HB 1766 - Judiciary
HB 1767 - Crime Prevention and Public Safety
HB 1768 - Children and Families
HB 1769 - Elections

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 45 - Education

REFERRAL OF SENATE BILL

SB 888 - Tax Policy

COMMITTEE REPORT

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **SCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SENATE CONCURRENT RESOLUTION NO. 30

BE IT RESOLVED by the Senate of the Ninety-second General Assembly, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Ninety-second General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that she has compared the same with the original rolls in her office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninety-second General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HCS HB 1288, as amended**: Senators Griesheimer, Steelman, Clemens, Mathewson and Stoll.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HB 1487, as amended**: Senators Scott, Bartle, Steelman, Bray and Days.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 884**: Senators Klindt, Bartle, Gibbons, Jacob and Caskey.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HB 1599**, entitled:

An act to amend chapter 21, RSMo, by adding thereto one new section relating to a joint committee on waste, fraud and abuse.

With Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1599, Page 1, Section 21.820, Line 2, by deleting from said line "Joint Committee on Waste, Fraud, and Abuse" and inserting in lieu thereof:

"Joint Committee on Governmental Accountability"; and

Further amend Page 2, same section, Lines 18 to 19, by deleting said lines and inserting in lieu thereof:

"(1) Make a continuing study and analysis of inefficiencies, fraud and misconduct in state government;"; and

Further amend same page, same section, Line 27, by deleting "." from said line and inserting in lieu thereof the following:

"; (5) Identify and acknowledge government agencies and officials who perform functions in an efficient and effective manner.".

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1599, Page 1, Section A, Line 2, by inserting after all of said line the following:

“8.235. 1. Notwithstanding subsection 3 of section 8.231 and section 34.040, RSMo, the [division of design and construction] **office of administration** is hereby authorized to contract for guaranteed energy cost savings contracts by selecting a bid for proposal from a contractor or team of contractors using the following criteria:

(1) The specialized experience and technical competence of the firm or team with respect to the type of services required;

(2) The capacity and capability of the firm or team to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project. **The scope of work identified in the report of energy audit findings shall be developed and executed in a manner that best meets the needs of the governmental unit. For the purposes of this section and section 8.237, RSMo, “best meets the needs of governmental unit” means, but is not limited to, on a cost effective and timely basis but not otherwise inconsistent with the provisions provided herein;** and

(3) The past record of performance of the firm or team with respect to such factors as control of costs, quality of work and ability to meet schedules.

2. [Each guaranteed energy cost saving contract, authorized pursuant to this section, shall reduce the estimated energy consumption by a minimum of twelve percent or reduce the cost of energy and related savings by a minimum of twelve percent.

3.] The guaranteed energy cost saving contract shall otherwise be in accordance with the provisions of section 8.231.

[4. The division of design and construction is authorized to use this procurement process for eight projects.]

3. Other state governmental units may procure these services in accordance with section 8.235.

4. A governmental unit may use designated funds, bonds, or master lease for any guaranteed energy cost savings contract including purchases using installment payment contracts or lease purchase agreements, so long as that use is consistent with the purpose of the appropriation.

5. Other state governmental units shall participate in the procurement of these services, in accordance with sections 8.231 and 8.237 with implementation beginning on or prior to June 1, 2006.

8.237. 1. The office of administration shall develop a statewide plan of energy conservation and cost savings for the buildings and facilities of the state. The plan shall be designed to implement energy conservation and cost savings on a cost effective basis. The office of administration shall divide the buildings and facilities of the state by its administrative agencies such that numerous qualified providers of varying capacity shall be eligible to submit requests for proposals or request for qualifications. The office of administration shall give preference to Missouri companies as provided for in sections 34.070 and 34.073, RSMo and relevant executive orders. Prior to the office of administration entering into such contract, it shall solicit sealed proposals from entities that best meet the needs of the governmental unit. Each governmental unit, as defined in section 8.231, prior to entering into a contract for the implementation of any significant energy conservation or facility improvement measure identified by the office of administration, shall meet the following requirements:

(1) Obtain a report of energy audit findings from the entity providing the energy conservation measures containing recommendations concerning the costs of installation, modifications, or remodeling, including costs of design, engineering, repairs, and financing; and

(2) The proposal shall guarantee to such governmental unit an amount of cost savings in energy or operating costs, as defined in section 8.231 if such installation, modification, or remodeling is performed by that entity.

2. For purposes of this section, “energy conservation and facility improvement measure” designed to reduce energy consumption, as defined in section 8.231 includes, but is not limited to, automated or computerized energy control and facility management systems or computerized maintenance management systems, replacement or modification of lighting fixtures and systems, energy recovery systems, water conservation, cogeneration systems, and window and door system modifications.

3. The entity shall contractually guarantee energy savings as appropriate and in a manner that meets the needs of the governmental unit.

4. With regard to energy cost savings in section 8.235 and this section, subject to appropriations, funding may be provided by the office of administration's revolving administrative trust fund, general revenue, or other appropriate fund source.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 1081, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 1081**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1114**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1115**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1167**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1284**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1317**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1405**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1 to SB 920** and has taken up and passed **SB 920, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SS SB 1000, as amended**, and has taken up and passed **HS HCS SS SB 1000, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1299** and has taken up and passed **HCS SB 1299**.

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Wednesday, May 12, 2004.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Steve Hunter, District 127, hereby state and affirm that my votes as recorded on Pages 1670 and 1672 of the House Journal for Monday, May 10, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of May 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Brad Lager, District 4, hereby state and affirm that my votes as recorded on Pages 1670, 1671, 1672 and 1673 of the House Journal for Monday, May 10, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of May 2004.

/s/ Brad Lager
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Yvonne Wilson, District 42, hereby state and affirm that my vote as recorded on Page 1673 of the House Journal for Monday, May 10, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of May 2004.

/s/ Yvonne Wilson
State Representative

1736 *Journal of the House*

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Dennis Wood, District 62, hereby state and affirm that my vote as recorded on Pages 1662-1663 of the House Journal for Monday, May 10, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of May 2004.

/s/ Dennis Wood
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Wednesday, May 12, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review. CANCELLED

BUDGET

Thursday, May 13, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

BUDGET

Friday, May 14, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Other bills as assigned or referred for fiscal review.

CONFERENCE COMMITTEE NOTICE

Wednesday, May 12, 2004, 8:00 a.m. Hearing Room 4.

Conference Committee on HS HB 1487 as amended.

CONFERENCE COMMITTEE NOTICE

Wednesday, May 12, 2004, 9:00 a.m. Hearing Room 6.

Conference Committee on SS SCS HCS HB 1288 as amended.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Thursday, May 13, 2004, 9:00 a.m. Senate Committee Room 1.

Discussion of possible tours.

RULES

Wednesday, May 12, 2004, Hearing Room 5 upon morning adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: SCR 51, HR 2913

HOUSE CALENDAR

SIXTY-EIGHTH DAY, WEDNESDAY, MAY 12, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)
- 20 HB 1678 - St. Onge (88)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTION FOR THIRD READING

HCS SS SCR 26, (5-10-04, Pages 1673-1675) - Myers (160)

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289 - 1290) - Engler (106)
- 2 SCR 34, (2-16-04, Page 331) - Crawford (117)
- 3 HCS SS SCS SCR 36, (5-06-04, Pages 1585 - 1586) - Stefanick (93)
- 4 HCS SCR 32, (5-07-04, Pages 1629 - 1630) - Fares (91)
- 5 SS SCR 47, HCA 1, (5-07-04, Pages 1631 - 1632) - Pearce (121)
- 6 SCR 30, (5-11-04) - Crowell (158)

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 SJR 29 - Engler (106)
- 2 SCS SJR 44 - Crawford (117)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 772 - Daus (67)
- 2 SB 894 - Dusenberg (54)
- 3 SCS SB 962 - Lager (4)
- 4 SCS SB 974 - Rupp (13)
- 5 SCS SB 1188, E.C. - Luetkemeyer (115)
- 6 SCS SB 1212 - Johnson (47)
- 7 SCS SB 1215 - Dixon (140)
- 8 SB 781 - Byrd (94)
- 9 SB 883 - Lager (4)
- 10 SCS SB 1044 - Pearce (121)
- 11 HCS SCS SB 771 - Daus (67)
- 12 SCS SB 1075 - Jones (63)

(5/06/04)

- 1 SB 1296 - Dougherty (53)
- 2 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 3 HCS SCS SBs 1144, 919 & 874, E.C. - Schlottach (111)
- 4 SS SS SCS SB 715 - Johnson (47)
- 5 HCS SCS SB 1038 - Luetkemeyer (115)
- 6 HCS SCS SB 1365 - Jackson (89)
- 7 SB 966 - Smith (118)
- 8 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 9 SCS SB 1062 - Johnson (47)
- 10 SCS SB 1155 - Dempsey (18)
- 11 SCS SB 1045 - Haywood (71)
- 12 SS SCS SBs 1233, 840 & 1043 - Schlottach (111)
- 13 HCS SB 1211 - Byrd (94)
- 14 SCS SB 1265 - Byrd (94)
- 15 HCS SB 1391 - Black (161)
- 16 HCS SS SS SCS SB 1122 - Behnen (2)
- 17 SB 783, E.C. - Smith (118)
- 18 SCS SB 987 - Johnson (47)
- 19 SCS SB 1196 - Lager (4)
- 20 SCS SB 700, (Budget 5-06-04) - Angst (146)
- 21 SCS SB 827 - Byrd (94)
- 22 SB 1007 - Byrd (94)
- 23 HCS SS SCS SB 1034 - Marsh (136)
- 24 SB 1229 - Mayer (159)
- 25 SCS SB 1240 - Schlottach (111)
- 26 SCS SB 1262 - Engler (106)
- 27 SB 1344 - Dempsey (18)
- 28 HCS SCS SB 845 - Jackson (89)
- 29 HCS SB 900 - Schlottach (111)
- 30 HCS SCS SB 1225 - Hubbard (58)
- 31 HCS SB 1323 - Purgason (151)
- 32 HCS SCS SB 710 - Dusenberg (54)
- 33 SB 1153, HCA 1 - Hobbs (21)
- 34 HCS SS SCS SB 1183 - Johnson (47)
- 35 SCS SB 961 - Luetkemeyer (115)
- 36 HCS SCS SB 1116 - Pearce (121)
- 37 HCS SB 1394 - Cooper (120)
- 38 HCS SB 807 - Lembke (85)

- 39 HCS SCS SB 972 - McKenna (102)
- 40 HCS SCS SBs 1027 & 896 - Behnen (2)
- 41 SCS SB 810 - Ervin (35)
- 42 HCS SS SB 1023 - Threlkeld (109)
- 43 SB 1064 - Cunningham (145)
- 44 HCS SB 1076 - Byrd (94)
- 45 HCS SCS SB 1171, E.C. - Jackson (89)

SENATE BILL FOR THIRD READING - REVISION

SRB 1108 - Crowell (158)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate recede/grant conference, pending, E.C. - Cunningham (86)
- 2 SCS HCS HB 1177, as amended - Guest (5)
- 3 SS HS HCS HB 1511, as amended - Byrd (94)
- 4 SS HS HCS HB 1207, as amended - Icet (84)
- 5 SCS HS HB 1193 - Self (116)
- 6 SCS HCR 21, (5-07-04, Pages 1633 - 1634) - Ruestman (131)
- 7 HCS HB 1093, SA 1 - Deeken (114)
- 8 HS HCS HB 1433, SA 1 - Wood (62)
- 9 SCS HS HB 1599, as amended - Ervin (35)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 CCR SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 3 CCR SCS HCS HB 1305, as amended - Byrd (94)
- 4 CCR#2 SS HS HCS HB 978, as amended - Baker (123)
- 5 CCR#2 SCS HCS HB 959, as amended - Luetkemeyer (115)
- 6 CCR HCS HB 1617, SSA 1 for SA 1 - Hanaway (87)
- 7 HS HCS SCS#2 SB 762, as amended, E.C. - Hanaway (87)
- 8 CCR HCS SCS SB 1106, (exceed differences), E.C. - Schaaf (28)
- 9 CCR SS HCS HB 1055, as amended - Bruns (113)
- 10 CCR HS HCS SS SCS SB 1081, as amended, (exceed differences) - Pratt (55)
- 11 HS HB 1487, SA 1 to SA 1, SA 2 to SA 1, SA 1, as amended, and SA 2, E.C. - Self (116)
- 12 SS SCS HCS HB 1288, as amended - Threlkeld (109)
- 13 HS SB 932, as amended - Wilson (130)
- 14 HCS SB 884 - Lager (4)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

HOUSE CONCURRENT RESOLUTION

HCR 41, (5-06-04, Pages 1587 - 1588) - Phillips (32)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, WEDNESDAY, MAY 12, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend James Earl Jackson.

We cry out to You our God, "O Lord, there is none like You to help, between the mighty and the weak. Help us, O Lord our God, for we rely on You, and by Your grace we have championed the cause of the citizens of our districts. Yet we have much more to do."

Many say that You will never help us. Prove them wrong, O Lord, by letting the light of Your presence shine down upon us. By the liberality of Your wisdom showered upon us. By the strength of Your directive clearly communicated to us.

You have put gladness in our hearts. We are able to rest each night in peace, confident that our decisions are right for the people of this state.

And when our job is done, may we return to our families, our districts, our private lives, and future pursuits knowing that You alone make us dwell in safety.

Now may the grace of God be with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Flint Limberg, Katie Hale, Rachel Kohl, James Meenach, Joel Meenach, Jared West, Brittni Cambron, Spencer Powell, Ryan Merrifield, Hannah Wille, Anna Warren, Logan Lashley, Cameron Hackley, Miranda VanFossen, Taylor Mellon, Kallan Conger, Kierra Potter, Daniel Walker, Justin Howe, Elaina Sells, Mikaela Spires, Cody Agee, Tanner Lynn and Ronald Williams.

The Journal of the sixty-seventh day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2987	-	Representatives Skaggs and Bishop
House Resolution No. 2988	-	Representative Riback Wilson (25)
House Resolution No. 2989	-	Representative Witte
House Resolution No. 2990	-	Representative Wilson (119)

House Resolution No. 2991 - Representative Ervin
House Resolution No. 2992
and
House Resolution No. 2993 - Representative Bean
House Resolution No. 2994
and
House Resolution No. 2995 - Representative Wilson (130)
House Resolution No. 2996 - Representative Johnson (47)
House Resolution No. 2997 - Representative Dixon
House Resolution No. 2998 - Representative Crawford
House Resolution No. 2999 - Representative Quinn

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 758**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 968 and SCS SB 969, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SBs 1020, 889 & 869, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees be allowed to exceed the differences on **HS HB 1487, as amended**, by adding an affirmative defense clause on the crime of child kidnapping.

BILLS IN CONFERENCE

HS HB 1487, with Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2, relating to kidnapping a child, was taken up by Representative Self.

Representative Self moved that the conferees be allowed to exceed the differences by allowing them to add the affirmative defense language to the kidnapping provision.

Which motion was adopted.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1305**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1305, with Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, and Senate Amendment No. 1 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1305, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1305;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1305, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Delbert Scott
/s/ Sen. John Loudon
/s/ Sen. John Cauthorn

FOR THE HOUSE:

/s/ Rep. Richard Byrd
/s/ Rep. Rod Jetton
/s/ Rep. Jason Crowell

THIRD READING OF SENATE BILLS

HCS SCS SB 1365, relating to veterans' education outreach programs, was taken up by Representative Jackson.

On motion of Representative Jackson, **HCS SCS SB 1365** was adopted.

On motion of Representative Jackson, **HCS SCS SB 1365** was read the third time and passed by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Bishop	Bivins	Black	Bland
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86

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Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Campbell	Henke	Walker	Wilson 25
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PRESENT: 001

Lowe

ABSENT WITH LEAVE: 010

Avery	Behnen	Boykins	Darrough	Donnelly
Dougherty	Hunter	Skaggs	Sutherland	Wright

Speaker Hanaway declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 758, relating to local taxes, was taken up by Representative Nieves.

Representative Nieves moved that the House refuse to recede from its position on **HCS SCS SB 758** and grant the Senate a conference.

Which motion was adopted.

HS HCS SCS SBs 1020, 889 & 869, as amended, relating to the open records law, was taken up by Representative Goodman.

Representative Goodman moved that the House refuse to recede from its position on **HS HCS SCS SBs 1020, 889 & 869, as amended**, and grant the Senate a conference.

Which motion was adopted.

HS HCS SS SCS SB 968 and SCS SB 969, as amended, relating to school personnel, was taken up by Representative Baker.

Representative Baker moved that the House refuse to recede from its position on **HS HCS SS SCS SB 968 and SCS SB 969, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE CONCURRENT RESOLUTION

HCS SS SCR 26, relating to the Forestry Utilization Committee, was taken up by Representative Myers.

On motion of Representative Myers, **HCS SS SCR 26** was adopted.

On motion of Representative Myers, **HCS SS SCR 26** was read the third time and passed by the following vote:

AYES: 146

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hobbs	Holand	Hoskins	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Vogt	Wagner	Wallace

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Walsh
Wildberger
Witte
Madam Speaker

Walton
Willoughby
Wood

Ward
Wilson 119
Yaeger

Wasson
Wilson 130
Yates

Whorton
Wilson 42
Zweifel

NOES: 011

Daus
Jolly
Young

Donnelly
Muckler

Fraser
Villa

Hilgemann
Walker

Hubbard
Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery
Wright

Boykins

Darrough

Hunter

Kuessner

Speaker Hanaway declared the bill passed.

BILLS IN CONFERENCE

CCR SCS HCS HB 1305, as amended, relating to medical malpractice insurance, was taken up by Representative Byrd.

Representative Byrd moved that the House adopt **CCR SCS HCS HB 1305, as amended**.

Representative Willoughby made a substitute motion that the House refuse to adopt **CCR SCS HCS HB 1305, as amended**, and return **CCR SCS HCS HB 1305, as amended**, to conference and bind the conferees to the Senate position to delete Section B.

Representative Crowell raised points of order that the substitute motion is not a true substitute motion; is a negative motion; and is deficient in that it fails to request that the Senate grant the House further conference.

The Chair ruled the points of order well taken.

Representative Byrd again moved that **CCR SCS HCS HB 1305, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 121

Angst
Behnen
Brown
Corcoran
Davis 122
Dixon
Engler
Guest

Baker
Bivins
Bruns
Crawford
Davis 19
Donnelly
Ervin
Hampton

Barnitz
Black
Byrd
Crowell
Deeken
Dougherty
Fares
Harris 110

Bean
Bough
Cooper 120
Cunningham 145
Dempsey
Dusenberg
Fraser
Henke

Bearden
Bringer
Cooper 155
Cunningham 86
Dethrow
Emery
Goodman
Hobbs

Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Jolly	Kelly 144	Kelly 36	King
Kingery	Kuessner	Lager	Lawson	Lembke
LeVota	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Threlkeld	Townley	Viebrock
Wagner	Walker	Wallace	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Wood	Yates	Young	Zweifel
Madam Speaker				

NOES: 036

Abel	Bishop	Bland	Brooks	Burnett
Campbell	Carnahan	Curls	Daus	El-Amin
George	Graham	Green	Harris 23	Haywood
Hilgemann	Hoskins	Johnson 61	Johnson 90	Jones
Kratky	Liese	Lowe	Muckler	Ransdall
Sager	Salva	Shoemyer	Thompson	Villa
Vogt	Walsh	Walton	Willoughby	Witte
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Boykins	Darrough	Holand	Rector
Wright				

On motion of Representative Byrd, **CCS SCS HCS HB 1305** was read the third time and passed by the following vote:

AYES: 130

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Bringer	Brown	Bruns	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	Goodman
Graham	Guest	Hampton	Harris 110	Henke
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page

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Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Villa	Wagner
Walker	Wallace	Ward	Wasson	Whorton
Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Yates	Young	Zweifel	Madam Speaker

NOES: 026

Abel	Bland	Brooks	Burnett	Curls
George	Green	Harris 23	Haywood	Hilgemann
Johnson 61	Johnson 90	Liese	Lowe	Muckler
Ransdall	Sager	Salva	Shoemyer	Thompson
Vogt	Walsh	Walton	Willoughby	Witte
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	Darrough	Holand	Rector
Viebrock	Wright			

Speaker Hanaway declared the bill passed.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Jetton.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Anne Carpenter, Kirk Duncan, Katie Glassner, Kelly Hatfield, Greg Jacquin, Lauren Kaplan, Kiara Kincheloe, Rohit Malhotra, Laura Maloy-Edmondson, Patrick Martin, Amber McConkey, Risa Perkins, Kelly Riley, Allison Yamitz and Shawn Yancy.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3000	-	Representative Bringer
House Resolution No. 3001		
through		
House Resolution No. 3003	-	Representative Moore
House Resolution No. 3004	-	Representatives Pratt and Moore
House Resolution No. 3005		
and		
House Resolution No. 3006	-	Representative Pratt
House Resolution No. 3007	-	Representatives Pratt and Bruns

House Resolution No. 3008 - Representative Kelly (36)
House Resolution No. 3009 - Representative Spreng
House Resolution No. 3010 - Representative Whorton
House Resolution No. 3011 - Representative Bearden
House Resolution No. 3012 - Representative Donnelly
House Resolution No. 3013 - Representative Pratt
House Resolution No. 3014 - Representative St. Onge
House Resolution No. 3015 - Representative Yates
House Resolution No. 3016 - Representative Black
House Resolution No. 3017 - Representative Smith (14)
House Resolution No. 3018 - Representative Liese
House Resolution No. 3019 - Representative Hanaway
House Resolution No. 3020 - Representative Jackson
House Resolution No. 3021 - Representative Rector
House Resolution No. 3022 - Representative Schlottach

THIRD READING OF SENATE BILLS

HCS SB 1394, relating to tax collection, was taken up by Representative Cooper (120).

Representative Cooper (120) offered **HS HCS SB 1394**.

Representative Wilson (42) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Page 10, Section 32.087, Line 8, by inserting after all of said line the following:

"64.930. 1. The county sports complex authority shall consist of five commissioners who shall be qualified voters of the state of Missouri, and residents of such county. The commissioners of the county commission by a majority vote thereof shall submit a panel of nine names to the governor who shall select with the advice and consent of the senate five commissioners from such panel, no more than three of which shall be of any one political party, who shall constitute the members of such authority; provided, however, that no elective or appointed official of any political subdivision of the state of Missouri shall be a member of the county sports complex authority.

2. The authority shall elect from its number a chairman and may appoint such officers and employees as it may require for the performance of its duties and fix and determine their qualifications, duties and compensation. No action of the authority shall be binding unless taken at a meeting at which at least three members are present and unless a majority of the members present at such meeting shall vote in favor thereof.

3. Such sports complex commissioners shall serve in the following manner: One for two years, one for three years, one for four years, one for five years, and one for six years. Successors shall hold office for terms of five years, or for the unexpired terms of their predecessors. [Each sports complex commissioner shall hold office until his successor has been appointed and qualified.]

4. In the event a vacancy exists a new panel of three names shall be submitted by majority vote of the county commission to the governor for appointment. All such vacancies shall be filled within thirty days from the date thereof. **If the county commission has not submitted a panel of three names to the governor within thirty days of the expiration of a commissioner's term, the governor shall immediately make an appointment to the commission with the advice and consent of the senate. In the event the governor does not appoint a replacement, no commissioner shall continue to serve beyond the expiration of that commissioner's term.**

5. The compensation of the sports complex commissioners to be paid by the authority shall be determined by the sports complex commissioners, but in no event shall exceed the sum of three thousand dollars per annum. In addition, the sports complex commissioners shall be reimbursed by the authority for the actual and necessary expenses incurred in the performance of their duties. **No commissioner shall continue to serve beyond the expiration of that commissioner's term.**

64.940. 1. The authority shall have the following powers:

(1) To acquire by gift, bequest, purchase or lease from public or private sources and to plan, construct, operate and maintain, or to lease to others for construction, operation and maintenance a sports stadium, field house, indoor and outdoor recreational facilities, centers, playing fields, parking facilities and other suitable concessions, and all things incidental or necessary to a complex suitable for all types of sports and recreation, either professional or amateur, commercial or private, either upon, above or below the ground;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, including, but without limitation, the authority to enter into contracts with counties and other political subdivisions under sections 70.210 to 70.320, RSMo, and to sue and to be sued;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies or by the federal government or any agency or officer thereof or from any other source;

(5) To disburse funds for its lawful activities and fix salaries and wages of its officers and employees;

(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as hereinafter provided in this section:

(a) Bonds or notes issued hereunder shall be issued pursuant to a resolution adopted by the commissioners of the authority which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(b) Such bonds or notes shall bear interest at a rate not exceeding eight percent per annum and shall mature within a period not exceeding fifty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

(c) Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing the same. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost.

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including **any contributed funds and any** rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, or any part or parts thereof, acquired, constructed, improved or extended in whole or in part from the proceeds of such bonds or notes, including but not limited to stadium rentals, concessions, parking facilities and from funds derived from any other facilities or part or parts thereof, owned or operated by the authority, all or any part of which **contributed funds**, rents, revenues, receipts and income the authority is authorized to pledge for the payment of said principal, interest, and redemption premium, if any. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation **by the authority**. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income herein referred to or any part thereof or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such

manner and under such restrictions as the authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust.

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued.

(f) The resolution authorizing the issuance of any such bonds or notes may provide for the allocation of **contributions and of** rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes.

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded but such interest rate shall not exceed the maximum rate of interest hereinbefore provided.

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject, however, to the provisions of sections 64.920 to 64.950 and in the manner provided in chapter 523, RSMo; provided, however, that no property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivisions shall be taken by the authority without the authority or consent of such political subdivisions;

(8) To perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred by the general assembly or by act of congress.

2. The authority is authorized and directed to proceed to carry out its duties, functions and powers in accordance with sections 64.920 to 64.950 as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States to effectuate the same, except the power to levy taxes or assessments.

64.952. The Kansas and Missouri Metropolitan Kansas City Sports Complex Authority Compact is hereby enacted into law and entered into by the state of Missouri with the state of Kansas legally joining therein, in the form substantially as follows:

**KANSAS AND MISSOURI
METROPOLITAN KANSAS CITY
SPORTS COMPLEX AUTHORITY COMPACT
ARTICLE I. AGREEMENT AND PLEDGE**

The states of Kansas and Missouri agree to and pledge, each to the other, faithful cooperation in the conversion of the Jackson County Sports Complex Authority into the Metropolitan Kansas City Sports Complex Authority should the former become a recipient of contributions from a bistate retail sales tax levied by the Metropolitan Culture District heretofore established pursuant to a compact of said states.

ARTICLE II. PURPOSE

The party states, having heretofore entered into a compact authorizing the creation of a Metropolitan Culture District that may make contributions from a bistate retail sales tax levied by the District for or in aid of cultural facilities, including those operated or used for sports, in counties which are part of the District, and desiring to provide Kansas counties in which such tax is levied a governance and oversight role should contributions from such tax be made for or in aid of the sports stadium facilities owned and operated by the Jackson County Sports Complex Authority, the purpose of this compact is to provide such a governance and oversight role.

ARTICLE III. CONVERSION

If the Jackson County Sports Complex Authority becomes a recipient of contributions to be made by the Kansas and Missouri Metropolitan Culture District created pursuant to section 70.500, RSMo, from a bistate retail sales tax levied by such District in at least Johnson County, Kansas and Jackson County, Missouri for the purposes of planning, constructing, equipping, repairing, extending or improving sports stadium facilities then owned and operated by the Authority or for the payment of principal of or interest on bonds or notes to be issued by the

Authority for such purposes, the Authority shall, effective upon the later of (i) the first day of the calendar quarter following the authorization of the levy of such tax in both Johnson County, Kansas and Jackson County, Missouri or (ii) the effective date of this compact pursuant to Article VI, become the Metropolitan Kansas City Sports Complex Authority, and the Jackson County Legislature and Executive shall issue such orders and make such filings in the offices of the governor of Missouri, the secretary of state of Missouri and elsewhere as may be necessary or appropriate to evidence such name change and the other changes made by this compact.

ARTICLE IV. THE AUTHORITY; POWERS; COMMISSIONERS

The Metropolitan Kansas City Sports Complex Authority shall continue to be a body corporate and politic and a political subdivision of the state of Missouri and shall be governed by, have all the powers provided in, and be subject to all of the provisions of sections 64.920 to 64.950, and other applicable Missouri law in effect upon the effective date of this compact that are not inconsistent with this compact. Those individuals currently serving unexpired terms as a commissioner of the County Sports Complex Authority at the enactment of this compact shall serve as a Missouri commissioner of the Kansas and Missouri Metropolitan Kansas City Sports Complex Authority for the full duration of his or her term as established by 64.930, RSMo. Thereafter, the five Missouri commissioners to the authority pursuant to 64.930, RSMo, shall be chosen as provided therein. In addition, however, to those commissioners, there shall be appointed to the Metropolitan Kansas City Sports Complex Authority one commissioner from each county in which such bistate retail sales tax is levied having a population less than three hundred thousand and two commissioners from each such county (other than Jackson County, Missouri) having a population greater than three hundred thousand, provided that there shall be three commissioners from Johnson County, Kansas if such bistate retail sales tax is not levied in any other county in Kansas. Each additional commissioner shall be appointed by the governing body of the county for which such commissioner is appointed, shall be a qualified voter and a resident of such county, shall not be an elected or appointed official of such county, any political subdivision or state, shall hold office for a term of five years or the unexpired term of any predecessor, and shall be compensated and reimbursed as provided in subsection 5 of section 64.930. No commissioner shall continue to serve beyond the expiration of that commissioner's term. Any vacancy that exists with respect to an additional commissioner shall be filled in the same manner and within thirty days from the date thereof. No action of the Metropolitan Kansas City Sports Complex Authority shall be binding unless taken at a meeting of which at least a majority of commissioners are present and unless a majority of the commissioners present at such meeting shall vote in favor thereof.

ARTICLE V. EXISTENCE

A Metropolitan Kansas City Sports Complex Authority created pursuant to this compact shall exist for as long as any sports stadium facilities constructed, equipped, repaired, extended or improved with contributions from the bistate retail sales tax are owned by it or any bonds or notes issued by it, the principal of or interest on which is paid from such contributions, are outstanding.

ARTICLE VI. EFFECTIVE DATE; AMENDMENT; TERMINATION

This compact shall enter into force and become effective and binding upon the states of Kansas and Missouri upon its enactment by the legislatures of the respective states. Amendments to this compact shall become effective upon enactment by the legislatures of the respective states. This compact shall continue in force and remain binding upon each of the party states until a legislature of a party state shall have entered a statute repealing it and sent formal written notice of such enactment to the legislature of the other party state."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Young raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Wilson (42), **House Amendment No. 1** was adopted.

Representative Mayer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Section 144.030, Page 75, Line 21, by striking the word, “solely”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Mayer, **House Amendment No. 2** was adopted.

Representative Zweifel offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Page 12, Section 94.270, Lines 9 and 10 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"motels in an amount in excess of twenty-seven dollars per room per year. No hotel or motel in such city shall be"; and

Further amend said bill, Page 12, Section 94.270, Line 21 of said page, by inserting immediately after the word **"dollars"** the following:

"and fifty cents"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Zweifel, **House Amendment No. 3** was adopted.

Representative Portwood offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Section 137.505, Page 54, Line 12, by inserting after said line the following:

“139.054. 1. The governing authority of any county with a charter form of government and with more than one million inhabitants and a first class county with a charter form of government with a population over two hundred fifty thousand that adjoins a first class county with a charter form of government with a population over nine hundred thousand may allow, by order or ordinance, for the prepayment of all or any part of current real property taxes in equal quarterly installments over a period of time not greater than one year. The county collector shall issue receipts for any installment payments made.

2. The order or ordinance shall provide the method by which the amount of real property taxes owed for the current tax year in which the payments are to be made shall be estimated. The collector shall submit to the governing body the procedures by which taxes will be collected pursuant to the ordinance or order. The estimate shall be based on the previous tax year's liability. A taxpayer's payment schedule shall be based on the estimate divided by the number of pay periods in which payments are to be made. The taxpayer shall at the end of the tax year pay any amounts owed in excess of the estimate for such year. Any amounts paid in excess of the real property tax owed for such year shall be a credit against the taxpayer's real property taxes due in the following year. The county collector shall provide notice to the taxpayer of any adjustment to the quarterly payments authorized in this section.

3. Any delinquent real property taxes shall bear interest at the rate provided by section 140.100, RSMo, and shall be subject to fees as provided by law. The prepayments authorized by this section shall be exempt from any penalty or interest provisions provided by law.

4. Installment payments made at any time during a tax year shall not affect the taxpayer's right to protest the amount of such tax payments under applicable provisions of law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 4** was adopted.

Representative Bough offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Page 27, Section 135.481, Line 23, by inserting before said line, all of the following:

“135.207. 1. (1) Any city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any city not within a county, which includes an existing state designated enterprise zone within the corporate limits of the city may each, upon approval of the local governing authority of the city and the director of the department of economic development, designate up to three satellite zones within its corporate limits. A prerequisite for the designation of a satellite zone shall be the approval by the director of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

(2) Any Missouri community classified as a village whose borders lie adjacent to a city with a population in excess of three hundred fifty thousand inhabitants as described in subdivision (1) of this subsection, and which has within the corporate limits of the village a factory, mining operation, office, mill, plant or warehouse which has at least three thousand employees and has an investment in plant, machinery and equipment of at least two hundred million dollars may, upon securing approval of the director and the local governing authorities of the village and the adjacent city which contains an existing state-designated enterprise zone, designate one satellite zone to be located within the corporate limits of the village, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

(3) Any geographical area partially contained within any city not within a county and partially contained within any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, which area is comprised of a total population of at least four thousand inhabitants but not more than seventy-two thousand inhabitants, and which area consists of at least one fourth class city, and has within its boundaries a military reserve facility and a utility pumping station having a capacity of ten million cubic feet, may, upon securing approval of the director and the appropriate local governing authorities as provided for in section 135.210, be designated as a satellite zone, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

(4) In addition to all other satellite zones authorized in this section, any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants, which includes an existing state-designated enterprise zone within the corporate limits of the city, may, upon approval of the local governing authority of the city and director of the department of economic development, designate a satellite zone within its corporate limits. A prerequisite for the designation of a satellite zone pursuant to this subdivision shall be the approval by the director of the department of economic development of a plan submitted by the local governing authority of such city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

(5) In addition to all other satellite zones authorized in this section, any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants, which includes an existing state-designated enterprise zone within the corporate limits of the city, may, upon approval of the local governing authority of the city and director of the department of economic development, designate a satellite zone within its corporate limits along the southwest corner of any intersection of two United States interstate highways. A prerequisite for the designation of a satellite zone pursuant to this subdivision shall be the approval by the director of the department of economic development of a plan submitted by the local governing authority of such city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

(6) In addition to all other satellite zones authorized in this section, any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants which includes an existing state-designated enterprise zone within the corporate limits of the city may, upon approval of the governing authority of the city and the director of the department of economic development, designate one satellite zone within its corporate limits. No satellite zone shall be designated pursuant to this subdivision until the governing authority

of the city submits a plan describing how the satellite zone corresponds to the city's overall enterprise zone strategy and the director approves the plan.

(7) In addition to all other satellite zones authorized in this section, any city of the fourth classification with more than three thousand eight hundred but less than four thousand inhabitants and located in more than one county and which lies adjacent to any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants and which contains an enterprise zone may, upon approval of the director and the governing authorities of the city of the fourth classification and the home rule city, designate one satellite zone within its corporate limits. The satellite enterprise zone authorized by this subsection shall be designated only if it meets the criteria established by subsection 2 of this section. Retail businesses, as identified by the 1997 North American Industry Classification System (NAICS) sector numbers 44 to 45, located within the satellite enterprise zone shall be eligible for all benefits provided pursuant to the provisions of sections 135.200 to 135.258.

2. For satellite zones designated pursuant to the provisions of subdivisions (1) and (3) of subsection 1 of this section, the satellite zones, in conjunction with the existing state-designated enterprise zone shall meet the following criteria:

(1) The area is one of pervasive poverty, unemployment, and general distress, or one in which a large number of jobs have been lost, a large number of employers have closed, or in which a large percentage of available production capacity is idle. For the purpose of this subdivision, "large number of jobs" means one percent or more of the area's population according to the most recent decennial census, and "large number of employers" means over five;

(2) At least fifty percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;

(3) The resident population of the existing state-designated enterprise zone and its satellite zones must be at least four thousand but not more than seventy-two thousand at the time of designation;

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than sixty percent of the statewide percentage of residents employed on a full-time basis.

3. A qualified business located within a satellite zone shall be subject to the same eligibility criteria and can be eligible to receive the same benefits as a qualified facility in sections 135.200 to [135.255] **135.258**.

135.208. 1. In addition to the number of enterprise zones authorized under the provisions of sections 135.206 and 135.210, the department of economic development shall designate one such zone in any county of the third class which is south of the Missouri River and which adjoins one county of the second class and also the state of Oklahoma. Such designation shall only be made if the area of the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

2. In addition to the number of enterprise zones authorized under the provisions of sections 135.206 and 135.210, the department of economic development shall designate one such zone in any county of the third class which borders the Missouri River and which adjoins a county of the second class with a population of at least one hundred thousand inhabitants and which contains a branch of the state university. Such designation shall only be made if the area of the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

3. In addition to the number of enterprise zones authorized under the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in every county of the third class without a township form of government with a population of more than seven thousand eight hundred but less than ten thousand inhabitants located south of the Missouri River, which adjoins one third class county with a township form of government, and which adjoins no first or second class county. Such enterprise zone designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

4. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a city of the third class with a population of more than eight thousand but less than ten thousand located in a county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-two thousand. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

5. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone for any city with a home

rule form of government and a population of at least one hundred ten thousand inhabitants but not more than one hundred thirty thousand inhabitants. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

6. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone for any county of the first classification without a charter form of government with a population of less than thirty thousand inhabitants. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

7. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210, 135.256 and 135.257, the department of economic development shall designate one such zone in a city of the fourth classification with a population of at least three thousand but less than four thousand inhabitants located in a county of the second classification with a population of at least twenty thousand but not more than twenty-five thousand inhabitants. Such enterprise zone designation shall only be made if such area which is to be included in the enterprise zone meets all the requirements of section 135.205.

8. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210, 135.256 and 135.257, the department of economic development shall designate one such zone for any area that includes property in two adjoining counties where one county is a county of the third classification without a township form of government with a population of less than sixteen thousand three hundred and more than sixteen thousand inhabitants and the other county is a county of the first classification having a population of at least one hundred seventy-one thousand but less than one hundred seventy-two thousand inhabitants. Such enterprise zone designation shall only be made if such area which is to be included in the enterprise zone meets all the requirements of section 135.205.

9. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a city of the fourth class with a population of more than four thousand located in a county of the third classification with a township form of government and with a population of less than thirteen thousand. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

10. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a city of the fourth class with a population of more than two thousand nine hundred located in a county of the third classification without a township form of government with a population of less than twelve thousand and more than eleven thousand seven hundred inhabitants. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

11. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210 and 135.256, the department of economic development shall designate one such zone in a county of the third classification without a township form of government with a population of less than twenty-four thousand five hundred and more than twenty-four thousand inhabitants. Such enterprise zone designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

12. In addition to the number of enterprise zones authorized in this chapter, the department of economic development shall designate one such zone for any city of the fourth classification with more than three thousand eight hundred but less than four thousand inhabitants and located in more than one county. Such enterprise zone designation shall only be made if the area in the city which is to be included in the enterprise zone meets all the requirements of section 135.205.

135.209. 1. Any city in which an enterprise zone is designated pursuant to subsection 5 **or subsection 12** of section 135.208 may, upon approval of the local governing authority of the city and the director of the department of economic development, designate one satellite enterprise zone within its corporate limits. A prerequisite for the designation of the satellite zone shall be the approval by the director of the department of economic development of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

2. The satellite enterprise zone authorized by this section shall be designated only if it meets the criteria established by subdivisions (1) to (4) of subsection 2 of section 135.207. Retail businesses, as identified by the 1997 North American Industry Classification System (NAICS) sector numbers 44 to 45, located within the satellite enterprise zone shall be eligible for all benefits provided pursuant to the provisions of sections 135.200 to 135.258.

135.214. 1. In addition to any other enterprise zones authorized in this chapter, the department of economic development shall designate one enterprise zone that shall be located partially in any city of the fourth classification with more than twelve thousand one hundred but less than twelve thousand four hundred

inhabitants and partially in any city of the fourth classification with more than nine thousand six hundred but less than nine thousand seven hundred inhabitants and shall include all area in between any city of the fourth classification with more than twelve thousand one hundred but less than twelve thousand four hundred inhabitants and any city of the fourth classification with more than nine thousand six hundred but less than nine thousand seven hundred inhabitants with specific boundaries to be determined by the department of economic development in conjunction with the governing authority of the county. Such enterprise zone designation shall only be made if the area that is to be included in the enterprise zone meets all the requirements of section 135.205.

2. Notwithstanding the provisions of section 135.230, to the contrary, any enterprise zone designated in any county of the third classification with a township form of government and with more than thirteen thousand seven hundred but less than thirteen thousand eight hundred inhabitants or designated in any county of the third classification without a township form of government and with more than fifteen thousand seven hundred but less than fifteen thousand eight hundred inhabitants shall not expire before December 31, 2015.

3. In addition to the number of enterprise zones authorized by the provisions of sections 135.200 to 135.270, the department of economic development shall designate one such zone in every county of the third classification without a township form of government and with more than six thousand seven hundred fifty but less than six thousand eight hundred fifty inhabitants. Such designation shall only be made if the area in the county which is to be included in the enterprise zone meets all the requirements of section 135.205.

135.216. In addition to any other enterprise zones authorized in this chapter, the department of economic development shall designate one enterprise zone within any county of the third classification without a township form of government and with more than thirty-one thousand but less than thirty-one thousand one hundred inhabitants. Such enterprise zone designation shall only be made if the area that is to be included in the enterprise zone meets all the requirements of section 135.205.

135.261. In addition to all other enterprise zones authorized in this chapter, the department of economic development shall designate one such zone in any county of the third classification without a township form of government and with more than thirty-two thousand five hundred but less than thirty-two thousand six hundred inhabitants. Such enterprise zone designation shall only be made if such area which is to be included in the enterprise zone meets all the requirements of section 135.205.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bough, **House Amendment No. 5** was adopted.

Representative Kelly (36) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Section 135.751, Page 29, Line 24 by deleting the words, “**1. As used in this section, the following terms**”; and

Further amend said bill, Section 135.751, Pages 30 to 36, by deleting all of said pages; and

Further amend said bill, Section 135.751, Page 37, Lines 1 to 13, by deleting all of said lines; and

Further amend said bill, Section 135.751, Page 37, Line 14, by deleting “8.”; and

Further amend said bill, Section 135.750, Pages 97 to 99, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (36), **House Amendment No. 6** was adopted.

Representative Selby offered **House Amendment No. 7**.

Representative Cooper (120) raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Rector assumed the Chair.

Representative Spreng offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Section 137.751, Page 29, Line 24, before said line, by inserting the following:

“135.750 1. Beginning January 1, 1999, a taxpayer shall be granted a tax credit against the tax otherwise due pursuant to chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.261, RSMo, or chapter 148, RSMo, for up to fifty percent of the amount of investment in production or production-related activities in a qualified film production project. As used in this section, the term "taxpayer" means an individual, a partnership, or a corporation as described in section 143.441, 143.471, RSMo, or section 148.370, RSMo, and the term "qualified film production project" means any film production project with an expected in-state expenditure budget in excess of [three hundred thousand] **one million** dollars. Each film production company shall be limited to one qualified film production project per year. Activities qualifying a taxpayer for the tax credit pursuant to this subsection shall be approved by the office of the Missouri film commission and the department of economic development.

2. Taxpayers shall apply for the film production tax credit by submitting an application to the department of economic development, on a form provided by the department. As part of the application, the expected in-state expenditures of the qualified film production project shall be documented. In addition, the application shall include an economic impact statement, showing the economic impact from the activities of the film production project. Such economic impact statement shall indicate the impact on the region of the state in which the film production or production-related activities are located and on the state as a whole.

3. Tax credits certified pursuant to subsection 1 of this section shall not exceed five hundred thousand dollars per taxpayer per year, and shall not exceed a total for all tax credits certified of [one] **three** million dollars per year. **Any unused amount of the cap shall rollover to the next year.** Taxpayers may carry forward unused credits for up to five tax periods, provided all such credits shall be claimed within ten tax periods following the tax period in which the film production or production-related activities for which the credits are certified by the department occurred.

4. Notwithstanding any provision of law to the contrary, any taxpayer may sell, assign, exchange, convey or otherwise transfer tax credits allowed in subsection 1 of this section. The taxpayer acquiring the tax credits may use the acquired credits to offset the tax liabilities otherwise imposed by chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.261, RSMo, or chapter 148, RSMo. Unused acquired credits may be carried forward for up to five tax periods, provided all such credits shall be claimed within ten tax periods following the tax period in which the film production or production-related activities for which the credits are certified by the department occurred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Spreng, **House Amendment No. 8** was adopted.

Representative Barnitz offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1394, Page 13, Section 94.270, Line 1, by inserting after all of said line the following:

"94.839. 1. The governing body of any city of the fourth classification with more than four thousand eight hundred but less than four thousand nine hundred inhabitants and located in any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall be not more than five percent per occupied room per night, and shall be imposed solely for the purpose of promoting tourism. The order or ordinance shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent, solely for the purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. Any tax imposed under this section shall be administered, collected, enforced, and operated by the governing body of the city adopting the tax. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the tax imposed at a rate of (insert rate of percent) percent for the purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnitz, **House Amendment No. 9** was adopted.

On motion of Representative Cooper (120), **HS HCS SB 1394, as amended**, was adopted.

On motion of Representative Cooper (120), **HS HCS SB 1394, as amended**, was read the third time and passed by the following vote:

AYES: 145

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Bringer	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Zweifel	Madam Speaker

NOES: 008

Burnett	Dougherty	Green	Johnson 90	Lawson
LeVota	Selby	Young		

PRESENT: 004

Boykins	Brooks	Johnson 61	Walton
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ABSENT WITH LEAVE: 006

Abel	Avery	Darrough	Hampton	Smith 118
Thompson				

Representative Rector declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Guest	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Lager	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Wood	Wright	Yates
Zweifel	Madam Speaker			

NOES: 019

Burnett	Green	Harris 110	Harris 23	Henke
Hoskins	Johnson 90	Jolly	Kuessner	Lawson
LeVota	Sager	Selby	Shoemyer	Walker
Ward	Witte	Yaeger	Young	

PRESENT: 004

Boykins	Brooks	Johnson 61	Walton
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ABSENT WITH LEAVE: 003

Avery	Darrough	Hampton
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MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1182**, entitled:

An act to repeal sections 148.330, 348.430, and 348.432, RSMo, and to enact in lieu thereof three new sections relating to tax credits.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, Page 1, Section A, Line 4, by inserting after all of said line the following:

“135.481. 1. (1) Any taxpayer who incurs eligible costs for a new residence located in a distressed community or within a census block group as described in subdivision (10) of section 135.478, or for a multiple unit condominium described in subdivision (2) of this subsection, shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed forty thousand dollars per new residence in any ten-year period.

(2) For the purposes of this section, a "multiple unit condominium" is one that is intended to be owner occupied, which is constructed on property subject to an industrial development contract as defined in section 100.310, RSMo, and which lies within an area with a city zoning classification of urban redevelopment district established after January 1, 2000, and before December 31, 2001, and which is constructed in connection with the qualified rehabilitation of a structure more than ninety years old eligible for the historic structures rehabilitation tax credit described in sections 253.545 to 253.559, RSMo, and is under way by January 1, 2000, and completed by January 1, 2002.

2. Any taxpayer who incurs eligible costs for a new residence located within a census block as described in subdivision (6) of section 135.478 shall receive a tax credit equal to fifteen percent of such costs against his or her tax liability. The tax credit shall not exceed twenty-five thousand dollars per new residence in any ten-year period.

3. Any taxpayer who is not performing substantial rehabilitation and who incurs eligible costs for rehabilitation of an eligible residence or a qualifying residence shall receive a tax credit equal to twenty-five percent of such costs against his or her tax liability. The minimum eligible costs for rehabilitation of an eligible residence shall be ten thousand dollars. The minimum eligible costs for rehabilitation of a qualifying residence shall be five thousand dollars. The tax credit shall not exceed twenty-five thousand dollars in any ten-year period.

4. Any taxpayer who incurs eligible costs for substantial rehabilitation of a qualifying residence shall receive a tax credit equal to thirty-five percent of such costs against his or her tax liability. The minimum eligible costs for substantial rehabilitation of a qualifying residence shall be ten thousand dollars. The tax credit shall not exceed seventy thousand dollars in any ten-year period.

5. A taxpayer shall be eligible to receive tax credits for new construction or rehabilitation pursuant to only one subsection of this section.

6. No tax credit shall be issued pursuant to this section for any structure which is in violation of any municipal or county property, maintenance or zoning code.

7. No tax credit shall be issued pursuant to sections 135.475 to 135.487 for the construction or rehabilitation of rental property.

8. Any taxpayer who has obtained approvals of multiple phase projects before December 31, 2004, and who incurs eligible costs for a new residence in an area described in subsection 2 of this section that is constructed on property subject to the industrial development provisions of sections 100.300 to 100.600 and that lies within an area with a city zoning classification of urban redevelopment district may reallocate the tax credits within the phases in an amount not to exceed thirty-five percent of such costs up to seventy thousand dollars per residence in any ten-year period.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“135.562. 1. This section shall be known and may be cited as the “Accessible Home Tax Credit Program”.

2. As used in this section, the following terms mean:

(1) “Department”, the department of revenue;

(2) “Director”, the director of the department of revenue;

(3) "Disability", a physical impairment which substantially limits one or more of a person's major life activities;

(4) "Tax liability", the tax due pursuant to chapter 143, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo; and

(5) "Taxpayer", any non-corporate taxpayer.

3. If any taxpayer with a federal adjusted gross income of thirty thousand dollars or less who incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, such taxpayer shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of one hundred percent of such costs or two thousand five hundred dollars. Tax credits issued pursuant to this subsection are refundable in an amount not to exceed two thousand five hundred dollars per tax year.

4. Any taxpayer with a federal adjusted gross income greater than thirty thousand dollars but less than sixty thousand dollars who incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, such taxpayer shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of fifty percent of such costs or two thousand five hundred dollars per tax year. Tax credits issued pursuant to this subsection are refundable in an amount not to exceed two thousand five hundred dollars per tax year.

5. In no event shall the aggregate amount of all tax credits allowed pursuant to this section exceed one hundred thousand dollars. The tax credits issued pursuant to this subsection will be on a first-come, first-served filing basis.

6. Eligible costs for which the credit may be claimed include:

- (1) Constructing entrance or exit ramps;
- (2) Widening exterior or interior doorways;
- (3) Widening hallways;
- (4) Installing handrails or grab bars;
- (5) Moving electrical outlets and switches;
- (6) Installing stairway lifts;
- (7) Installing or modifying fire alarms, smoke detectors, and other alerting systems;
- (8) Modifying hardware of doors; or
- (9) Modifying bathrooms.

7. The tax credits allowed, including the maximum amount that may be claimed, pursuant to this section shall be reduced by one-third to the extent a taxpayer has already deducted such costs from such taxpayer's federal adjusted gross income or applied any other state or federal income tax credit to such costs.

8. A taxpayer shall claim a credit allowed by this section in the same taxable year as the credit is issued, and at the time such taxpayer files his or her Missouri income tax return; provided that, such return is timely filed.

9. The department may promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

10. The provisions of this section shall apply to all tax years beginning on or after January 1, 2005.

11. The provisions of this section shall expire December 31, 2010."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, Page 1, Section A, Line 4, by inserting after all of said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place; [and]
- (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision; **and**
- (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverts, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:**
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;**
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property;****and**
 - (c) There is no provisions for reverter of the property within the limitation period for reverts.**

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.584, RSMo; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310, RSMo) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation, slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a “material recovery processing plant” means a facility which converts recovered materials into a new product, or a different form which is used in producing a new product, and shall include a facility or equipment which is used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms “motor vehicle” and “highway” shall have the same meaning pursuant to section 301.010, RSMo;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200, RSMo. For purposes of this subdivision, “processing” means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds

derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, solely in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530, RSMo;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, RSMo, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use;

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes.

Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, which is ultimately consumed in connection with the manufacturing of cellular glass products;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For

purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003;

(38) All sales or other transfers of tangible personal property to a lessor, who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer, to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale **or other transfer** of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsections 2 and 3 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section 144.440;

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state."; and

Further amend Page 12, Section 348.432, Line 7, by inserting after all of said line, the following:

"Section B. Because immediate action is necessary to protect the economic welfare of the citizens of this state, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“144.530. As used in sections 144.530 to 144.563, the following terms shall mean:

(1) “Controlled substance”, any drug or substance, whether real or counterfeit, as defined in section 149.011 which is held, possessed, transported, transferred, sold, or offered to be sold in violation of state law, except that the term shall not include marijuana;

(2) “Dealer”, any person who illegally manufactures, produces, ships, transports or imports into the state or in any manner acquires or possesses more than twenty-eight grams of marijuana, or more than one gram of any controlled substance, or ten or more dosage units of any controlled substance which is not sold by weight. A pharmacist licensed in this state who is lawfully performing duties within the scope of his or her license shall not be construed to be a dealer;

(3) “Director”, the director of the department of revenue;

(4) “Domestic marijuana plant”, any cannabis plant at any level of growth which is harvested or tended, manicured, irrigated, fertilized, or where there is other evidence that it has been treated in any other way in an effort to enhance growth;

(5) “Marijuana”, any marijuana, whether real or counterfeit, as defined in section 149.011 which is held, possessed, transported, transferred, sold, or offered to be sold.

144.533. 1. There is hereby imposed a tax upon marijuana, domestic marijuana plants and controlled substances at the following rates:

(1) On each gram of marijuana, or each portion of a gram, three dollars and fifty cents;

(2) On each gram of a wet domestic marijuana plant, forty cents;

(3) On each gram of a dry domestic marijuana plant, ninety cents;

(4) On each gram of controlled substance, or portion of a gram, two hundred dollars; and

(5) On each fifty dosage units of a controlled substance that is not sold by weight, or portion thereof, two thousand dollars.

2. For the purpose of calculating such tax, an ounce of marijuana or other controlled substance is measured by the weight of the substance in the dealer's possession. The weight of the marijuana or controlled substance includes all material, mixture or preparation that is added to the marijuana or controlled substance.

144.536. 1. The director shall administer the collection of the tax imposed pursuant to section 144.533. All tax payments shall be made to the director, and shall be accompanied by a form devised and furnished by the director.

2. The director shall adopt a uniform system of providing, affixing and displaying official stamps, labels or other indicia for marijuana and controlled substances upon which a tax is imposed.

3. The director may promulgate rules and regulations necessary to administer and enforce the provisions of sections 144.530 to 144.563.

144.539. 1. No dealer may possess any marijuana, domestic marijuana plant, or controlled substance upon which a tax is imposed pursuant to section 144.533 unless the tax has been paid as evidenced by an official stamp or other indicia.

2. Official stamps, labels, or other indicia to be affixed to all marijuana, domestic marijuana plants, or controlled substances shall be purchased from the director. The purchaser shall pay one hundred percent of face value for each stamp, label, or other indicia at the time of purchase. Each such stamp, label, or other indicia shall only be valid for three months after its date of issuance. The director shall issue the stamps, labels, or other indicia in denominations in multiples of ten dollars. Any person may purchase any such stamp, label, or other indicia without disclosing such person's identity.

3. When a dealer purchases, acquires, transports, or imports into this state marijuana, domestic marijuana plants, or controlled substances on which a tax is imposed pursuant to section 144.533 and if the indicia evidencing the payment of the tax have not already been affixed, the dealer shall have them permanently affixed on the marijuana, domestic marijuana plant, or controlled substance immediately after receiving the substance. Each stamp or other official indicia may be used only once.

4. Taxes imposed upon marijuana, domestic marijuana plants, or controlled substances pursuant to the provisions of sections 144.530 to 144.563 are due and payable immediately upon acquisition or possession in this state by a dealer.

144.542. 1. At such time as the director shall determine that a dealer has not paid the tax as directed pursuant to section 144.539 the director may immediately assess a tax based on personal knowledge or information available to the director; mail to the taxpayer at the taxpayer's last known address or serve in person, a written notice of the amount of tax, penalties, and interest; and demand its immediate payment. If payment is not immediately made, because collection of every assessment made hereunder is presumed to be in jeopardy due

to the nature of the commodity being taxed, the director may immediately collect the tax, penalties, and interest in any manner pursuant to section 144.563.

2. The taxpayer may appeal the assessment within fifteen days from the date of mailing of the notice or the date of personal service of the notice given pursuant to subsection 1 of this section, by requesting in writing a hearing by the director on the correctness of the assessment. The hearing shall be conducted in accordance with the provisions of chapter 536, RSMo. An appeal of the assessment shall not stay the collection of the assessment but shall stay the sale of real or personal property seized pursuant to section 144.563 until the director rules on the correctness of the assessment.

3. The tax, penalties, and interest assessed by the director are presumed to be valid and correctly determined and assessed. The burden is upon the taxpayer to show their incorrectness or invalidity. Any statement filed by the director with the court or any other certificate by the director of the amount of tax, penalties, and interest determined or assessed is admissible in evidence and constitutes prima facie evidence of the facts it contains.

4. In making an assessment pursuant to subsection 1 of this section, the director may consider a plea agreement or judicial determination made in any criminal case.

5. All taxes not paid to the director of revenue by the person required to remit the same on the date when the same becomes due and payable to the director of revenue shall bear interest at the rate determined by section 32.065, RSMo, from and after such date until paid.

144.545. Neither the director nor a public employee may reveal facts contained in a report or return required by sections 144.530 to 144.563. No information contained in such a report or return may be used against the dealer in any criminal proceeding unless independently obtained, except in connection with a proceeding involving taxes due pursuant to the provisions of sections 144.530 to 144.563 from the taxpayer making the return.

144.548. For the purpose of determining the correctness of any return, determining the amount of tax that should have been paid, determining whether or not the dealer should have made a return or paid taxes, or collecting any taxes pursuant to the provisions of sections 144.530 to 144.563, the director may examine, or cause to be examined, any books, papers, records, or memoranda, that may be relevant to making such determinations, whether the books, papers, records, or memoranda, are the property of or in the possession of the dealer or another person. The director may require the attendance of any person having knowledge or information that may be relevant, compel the production of books, papers, records, or memoranda by persons required to attend, take testimony on matters material to the determination, and administer oaths or affirmations. Upon demand of the director or any examiner or investigator, the court shall issue a subpoena for the attendance of a witness or the production of books, papers, records, or memoranda. The director may also issue subpoenas. Disobedience of subpoenas issued pursuant to the provisions of sections 144.530 to 144.563 is punishable by the circuit court of the county or city not within a county in which the subpoena is issued, or, if the subpoena is issued by the director, by the circuit court of the county or city not within a county in which the party served with the subpoena is located, in the same manner as contempt of court.

144.551. Any dealer violating the provisions of sections 144.530 to 144.563 is subject to a penalty of one hundred percent of the tax in addition to the tax imposed pursuant to section 144.533.

144.554. Nothing in sections 144.530 to 144.563 shall in any manner provide immunity for a dealer from criminal prosecution.

144.557. The director shall submit annually fifty percent of all moneys received from the collection of taxes and from assessments of delinquent taxes and penalties imposed pursuant to the provisions of sections 144.530 to 144.563 to the state treasurer, who shall deposit one-half thereof in the MoSMART fund created pursuant to section 650.350, RSMo, and one-half thereof in the "controlled substances clean-up fund", created in section 640.040, RSMo, to be used to provide training and necessary supplies and equipment pursuant to law enforcement and fire department personnel and to assist in the clean-up and disposal of components of controlled substances and administration thereof. The director shall remit annually the remaining fifty percent of all moneys received from the collection of taxes and from assessments of delinquent taxes and penalties imposed pursuant to the provisions of sections 144.530 to 144.563 as follows:

(1) If the law enforcement agency which conducted the investigation is a county agency, the entire amount shall not be considered state funds and shall be deposited in the county treasury and credited to a special law enforcement trust fund for use solely for law enforcement and criminal prosecution purposes; or

(2) If the law enforcement agency which conducted the investigation is a city agency, the entire amount shall not be considered state funds and shall be deposited in the city treasury and credited to a special law enforcement trust fund for use solely for law enforcement and criminal prosecution purposes; or

(3) If the law enforcement agency which conducted the investigation is a state agency, the entire amount shall be deposited in the state general revenue fund to be appropriated to the state agency for use in law enforcement purposes; or

(4) If more than one law enforcement agency is substantially involved in the investigative process, the amount shall not be considered state funds and shall be distributed equally among the city, county and state law enforcement agencies involved and credited to the appropriate county and city special law enforcement trust funds and state law enforcement agency funds unless an alternate distribution is mutually agreed upon by the law enforcement agencies involved and submitted in writing to the director.

Funds received shall not be considered to be a source of revenue to meet normal operating expenses of law enforcement agencies.

144.563. 1. Whenever a taxpayer liable to pay any tax, penalty or interest assessed pursuant to section 144.542, refuses or neglects to immediately pay the amount due, the director may issue one or more warrants for the immediate collection of the amount due, directed to the chief law enforcement officer of any county or city not within a county commanding the chief law enforcement officer to seize and sell the real and personal property of the taxpayer found within the county or city not within a county to satisfy the amount specified on the warrant and the cost of executing the warrant. The director may also issue one or more warrants directed to any employee of the department of revenue commanding the employee to seize and sell the real and personal property of the taxpayer found anywhere within the state to satisfy the amount specified on the warrant and the cost of executing the warrant. A copy of the warrant shall also be mailed to the taxpayer at the taxpayer's last known address or served upon the taxpayer in person.

2. The chief law enforcement officer or department of revenue employee shall proceed to execute upon the warrant in the same manner as provided for distress warrants pursuant to sections 136.180 and 136.190, RSMo, except as otherwise provided in this section. In the execution of a warrant issued to a department of revenue employee, the employee shall have all of the powers conferred by law upon a chief law enforcement officer. Any law enforcement officer may assist in the execution of a warrant if requested to do so by a department of revenue employee.

3. No law exempting any goods and chattels, land and tenements from forced sale under execution shall apply to a seizure and sale under any warrant.

4. A third party holding funds or other personal property of the taxpayer shall immediately, or as soon thereafter as possible, after service of the warrant on such third party, deliver such funds or other personal property to the chief law enforcement officer or department of revenue employee, who shall then deliver such to the director or the director's designee for deposit toward the balance due on the taxpayer's assessment pursuant to section 136.110.

5. The chief law enforcement officer or department of revenue employee shall proceed to levy, collect, and sell such property in the manner pursuant to sections 136.200 to 136.230, RSMo.

6. The taxpayer shall have the right to redeem real property within a period of six months from the date of the sale.

7. The director shall have the right at any time to issue alias warrants until the full amount of the tax, penalty, and interest is collected.”; and

Further amend said bill, Page 12, Section 348.432, Line 7, by inserting after all of said line the following:

“578.154. 1. A person commits the crime of possession of anhydrous ammonia in a nonapproved container if he or she possesses any quantity of anhydrous ammonia in [any container other than a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator or any container approved for anhydrous ammonia by the department of agriculture or the United States Department of Transportation] **a cylinder or other portable container that was not designed, fabricated, tested, constructed, marked and placarded in accordance with the United States Department of Transportation Hazardous Materials regulations contained in CFR 49 Parts 100 to 185, revised as of October 1, 2002, which are herein incorporated by reference, and approved for the storage and transportation of anhydrous ammonia, or any container that is not a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator.**

2. Cylinder and other portable container valves and other fittings, or hoses attached thereto, used in anhydrous ammonia service shall be constructed of material resistant to anhydrous ammonia and shall not be constructed of brass, copper, silver, zinc, or other material subject to attack by ammonia. Each cylinder utilized for the storage and transportation of anhydrous ammonia shall be labeled, in a conspicuous location, with the words “ANHYDROUS AMMONIA” or “CAUTION: ANHYDROUS AMMONIA” and the UN number 1005 (UN 1005).

3. A violation of this section is a class D felony.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, Page 1, Section A, Line 4, by inserting after all of said line the following:

“100.710. As used in sections 100.700 to 100.850, the following terms mean:

(1) “Assessment”, an amount of up to five percent of the gross wages paid in one year by an eligible industry to all eligible employees in new jobs, or up to ten percent if the economic development project is located within a distressed community as defined in section 135.530, RSMo;

(2) “Board”, the Missouri development finance board as created by section 100.265;

(3) “Certificates”, the revenue bonds or notes authorized to be issued by the board pursuant to section 100.840;

(4) “Credit”, the amount agreed to between the board and an eligible industry, but not to exceed the assessment attributable to the eligible industry's project;

(5) “Department”, the Missouri department of economic development;

(6) “Director”, the director of the department of economic development;

(7) “Economic development project”:

(a) The acquisition of any real property by the board, the eligible industry, or its affiliate; or

(b) The fee ownership of real property by the eligible industry or its affiliate; and

(c) For both paragraphs (a) and (b) of this subdivision, “economic development project” shall also include the development of the real property including construction, installation, or equipping of a project, including fixtures and equipment, and facilities necessary or desirable for improvement of the real property, including surveys; site tests and inspections; subsurface site work; excavation; removal of structures, roadways, cemeteries and other surface obstructions; filling, grading and provision of drainage, storm water retention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities; off-site construction of utility extensions to the boundaries of the real property; and the acquisition, installation, or equipping of facilities on the real property, for use and occupancy by the eligible industry or its affiliates;

(8) “Eligible employee”, a person employed on a full-time basis in a new job at the economic development project averaging at least thirty-five hours per week who was not employed by the eligible industry or a related taxpayer in this state at any time during the twelve-month period immediately prior to being employed at the economic development project. For an essential industry, a person employed on a full-time basis in an existing job at the economic development project averaging at least thirty-five hours per week may be considered an eligible employee for the purposes of the program authorized by sections 100.700 to 100.850;

(9) “Eligible industry”, a business located within the state of Missouri which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, office industries, or agricultural processing, but excluding retail, health or professional services. “Eligible industry” does not include a business which closes or substantially reduces its operation at one location in the state and relocates substantially the same operation to another location in the state. This does not prohibit a business from expanding its operations at another location in the state provided that existing operations of a similar nature located within the state are not closed or substantially reduced. This also does not prohibit a business from moving its operations from one location in the state to another location in the state for the purpose of expanding such operation provided that the board determines that such expansion cannot reasonably be accommodated within the municipality in which such business is located, or in the case of a business located in an incorporated area of the county, within the county in which such business is located, after conferring with the chief elected official of such municipality or county and taking into consideration any evidence offered by such municipality or county regarding the ability to accommodate such expansion within such municipality or county. An eligible industry must:

(a) Invest a minimum of fifteen million dollars, or ten million dollars for an office industry, in an economic development project; and

(b) Create a minimum of one hundred new jobs for eligible employees at the economic development project or a minimum of five hundred jobs if the economic development project is an office industry or a minimum of two hundred new jobs if the economic development project is an office industry located within a distressed community as defined in section 135.530, RSMo, **in the case of an approved company for a project for a world headquarters of a business whose primary function is tax return preparation in any home rule city with more than four hundred thousand inhabitants and located in more than one county, create a minimum of one hundred new jobs for eligible employees at the economic development project.** An industry that meets the definition of “essential industry” may be considered an eligible industry for the purposes of the program authorized by sections 100.700 to 100.850;

(10) “Essential industry”, a business that otherwise meets the definition of eligible industry except an essential industry shall:

(a) Be a targeted industry;

(b) Be located in a home rule city with more than twenty-six thousand but less than twenty-seven thousand inhabitants located in any county with a charter form of government and with more than one million inhabitants;

(c) Have maintained at least two thousand jobs at the proposed economic development project site each year for a period of four years preceding the year in which application for the program authorized by sections 100.700 to 100.850 is made and during the year in which said application is made;

(d) For the duration of the certificates, retain at the proposed economic development project site the level of employment that existed at the site in the taxable year immediately preceding the year in which application for the program authorized by sections 100.700 to 100.850 is made; and

(e) Invest a minimum of five hundred million dollars in the economic development project by the end of the third year after the issuance of the certificates under this program;

(11) “New job”, a job in a new or expanding eligible industry not including jobs of recalled workers, replacement jobs or jobs that formerly existed in the eligible industry in the state. For an essential industry, an existing job may be considered a new job for the purposes of the program authorized by sections 100.700 to 100.850;

(12) “Office industry”, a regional, national or international headquarters, a telecommunications operation, a computer operation, an insurance company, or a credit card billing and processing center;

(13) “Program costs”, all necessary and incidental costs of providing program services including payment of the principal of premium, if any, and interest on certificates, including capitalized interest, issued to finance a project, and funding and maintenance of a debt service reserve fund to secure such certificates. Program costs shall include:

(a) Obligations incurred for labor and obligations incurred to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction, installation or equipping of an economic development project;

(b) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(c) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction, installation or equipping of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(d) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations and supervision of construction, as well as the costs for the performance of all the duties required by or consequent upon the acquisition, construction, installation or equipping of an economic development project;

(e) All costs which are required to be paid under the terms of any contract or contracts for the acquisition, construction, installation or equipping of an economic development project; and

(f) All other costs of a nature comparable to those described in this subdivision;

(14) “Program services”, administrative expenses of the board, including contracted professional services, and the cost of issuance of certificates;

(15) “Targeted industry”, an industry or one of a cluster of industries that is identified by the department as critical to the state's economic security and growth and affirmed as such by the joint committee on economic development policy and planning established in section 620.602, RSMo.

100.850. 1. The approved company shall remit to the board a job development assessment fee, not to exceed five percent of the gross wages of each eligible employee whose job was created as a result of the economic development project, or not to exceed ten percent if the economic development project is located within a distressed community as defined in section 135.530, RSMo, for the purpose of retiring bonds which fund the economic development project.

2. Any approved company remitting an assessment as provided in subsection 1 of this section shall make its payroll books and records available to the board at such reasonable times as the board shall request and shall file with the board documentation respecting the assessment as the board may require.

3. Any assessment remitted pursuant to subsection 1 of this section shall cease on the date the bonds are retired.

4. Any approved company which has paid an assessment for debt reduction shall be allowed a tax credit equal to the amount of the assessment. The tax credit may be claimed against taxes otherwise imposed by chapters 143 and 148, RSMo, except withholding taxes imposed under the provisions of sections 143.191 to 143.265, RSMo, which were incurred during the tax period in which the assessment was made.

5. In no event shall the aggregate amount of tax credits authorized by subsection 4 of this section exceed eleven million dollars annually. **If the approved company shall be a project for a world headquarters of a business whose primary function is tax return preparation in any home rule city with more than four hundred thousand inhabitants and located in more than one county, the aggregate amount of tax credits authorized by subsection 4 of this section shall be increased to eleven million nine hundred fifty thousand dollars annually.**

6. The director of revenue shall issue a refund to the approved company to the extent that the amount of credits allowed in subsection 4 of this section exceeds the amount of the approved company's income tax."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, Page 3, Section 148.330, Line 13, by inserting after the word "Constitution" the following:

“, until such time as the New Generation Cooperative Incentive Tax Credit, created pursuant to Section 348.432, RSMo, may be repealed by the General Assembly”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HS HCS HB 1285**, entitled:

An act to repeal sections 226.092, 407.730 and 407.735, RSMo, and to enact in lieu thereof three new sections relating to car rental insurance.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 758**: Senators Griesheimer, Kinder, Childers, Days and Stoll.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SS SCS SB 968 and SCS SB 969, as amended**: Senators Shields, Foster, Bartle, Caskey and Stoll.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SCS SBs 1020, 889 & 869, as amended**: Senators Steelman, Champion, Griesheimer, Goode and Quick.

Speaker Pro Tem Jetton resumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 1182, as amended, relating to tax credits, was taken up by Representative Munzlinger.

Representative Munzlinger moved that the House refuse to adopt **SS SCS HCS HB 1182, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SS SS SCS SB 1122, relating to professional licensing, was taken up by Representative Behnen.

Representative Behnen offered **HS HCS SS SS SCS SB 1122**.

Representative Behnen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1122, Page 3, Section 209.321, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Behnen, **House Amendment No. 1** was adopted.

Representative Parker offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

Representative Behnen offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1122, Page 161, Section 620.145, Line 24, by inserting immediately after said line the following:

"Section 1. 1. The state board of registration for the healing arts and the board of optometry, or each board's respective designees, shall jointly review the practice of surgical co-management among eye care providers. Such review shall include, without limitation, an examination of:

(1) The information that shall be provided to the patient to ensure that the patient is fully informed about and acknowledges all aspects of the co-management arrangement, including the respective licensure and qualifications of each eye care provider, who will be responsible for each aspect of care, the financial arrangements regarding division of fees, and the patient's right to accept or decline to participate in the co-management arrangement;

(2) Fee arrangements between eye care providers engaged in co-management arrangements to ensure that the division is based solely on the reasonable value of services actually provided to the patient and that those services are medically necessary for the patient's care; and

(3) When an eye care provider improperly offers to delegate preoperative or postoperative care to another eye care provider in return for receiving a surgical referral, or demands participation in a co-management arrangement in return for making a surgical referral, or threatens to withhold referrals to an eye care provider who does not agree to participate in a co-management arrangement, or initiates a co-management arrangement with an eye care provider when the patient otherwise would have been released from further care following surgery.

2. Prior to March 1, 2006, the state board of registration for the healing arts pursuant to section 334.125 RSMo, and the board of optometry pursuant to section 336.160, RSMo, shall jointly promulgate rules regarding the practice of surgical co-management among eye care providers. Such rules shall include the matters contained in subdivisions (1) to (3) in subsection 1 of this section. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of optometry may separately promulgate rules relating to surgical co-management of eye care patients.

3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Wright offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

Representative Ward raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Speaker Hanaway resumed the Chair.

Representative Behnen moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Portwood offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1122, Page 160, Section 436.272, Line 8 of said page, by inserting after all of said line the following:

"443.803. 1. For the purposes of sections 443.800 to 443.893, the following terms mean:

(1) "Advertisement", the attempt by publication, dissemination or circulation to induce, directly or indirectly, any person to apply for a loan to be secured by residential real estate;

(2) "Affiliate":

(a) Any entity that directly controls, or is controlled by, the licensee and any other company that is directly affecting activities regulated by sections 443.800 to 443.893 that is controlled by the company that controls the licensee;

(b) Any entity:

a. That is controlled, directly or indirectly, by a trust or otherwise by, or for the benefit of, shareholders who beneficially, or otherwise, control, directly or indirectly, by trust or otherwise, the licensee or any company that controls the licensee; or

b. A majority of the directors or trustees of which constitute a majority of the persons holding any such office with the licensee or any company that controls the licensee;

(c) Any company, including a real estate investment trust, that is sponsored and advised on a contractual basis by the licensee or any subsidiary or affiliate of the licensee;

(3) "Annual audit", a certified audit of the licensee's books and records and systems of internal control performed by a certified public accountant in accordance with generally accepted accounting principles and generally accepted auditing standards;

(4) "Board", the residential mortgage board, created in section 443.816;

(5) "Borrower", the person or persons who use the services of a [loan] **mortgage** broker, originator or lender;

(6) **"Continuing education" or "certified course of continuing education", a course or study consisting of sixteen hours of classroom education every two years relating to loan originating which is approved by the board;**

(7) "Director", the director of the division of finance within the department of economic development;

[(7)] (8) "Escrow agent", a third party, individual or entity, charged with the fiduciary obligation for holding escrow funds on a residential mortgage loan pending final payout of those funds in accordance with the terms of the residential mortgage loan;

[(8)] (9) "Exempt entity", the following entities:

(a) Any bank or trust company organized under the laws of this or any other state or any national bank or any foreign banking corporation licensed by the division of finance or the United States Comptroller of the Currency to transact business in this state;

(b) Any state or federal savings and loan association, savings bank or credit union or any consumer finance company licensed under sections 367.100 to 367.215, RSMo, which is actively engaged in consumer credit lending;

(c) Any insurance company **or licensed insurance agent, broker, or producer** authorized to transact business in this **or any other** state;

(d) Any person engaged solely in commercial mortgage lending or any person making or acquiring residential or commercial construction loans with the person's own funds for the person's own investment;

(e) Any service corporation of a federally chartered or state-chartered savings and loan association, savings bank or credit union;

(f) Any first-tier subsidiary of a national or state bank that has its principal place of business in this state, provided that such first-tier subsidiary is regularly examined by the division of finance or the Comptroller of the Currency or a consumer compliance examination of it is regularly conducted by the Federal Reserve;

(g) Any person engaged solely in the business of securing loans on the secondary market provided such person does not make decisions about the extension of credit to the borrower;

(h) Any mortgage banker as defined in subdivision [(19)] (21) of this subsection; or

(i) Any wholesale mortgage lender who purchases mortgage loans originated by a licensee provided such wholesale lender does not make decisions about the extension of credit to the borrower;

(j) Any person making or acquiring residential mortgage loans with the person's own funds for the person's own investment;

(k) [Any person employed or contracted by a licensee to assist in the performance of the activities regulated by sections 443.800 to 443.893 who is compensated in any manner by only one licensee;

(l) Any person licensed pursuant to the real estate agents and brokers licensing law, chapter 339, RSMo, who engages in servicing or the taking of applications and credit and appraisal information to forward to a licensee or an exempt entity for transactions in which the licensee is acting as a real estate broker and who is compensated by either a licensee or an exempt entity;

[(m)] (l) Any person who originates, services or brokers residential mortgagee loans and who receives no compensation for those activities, subject to the director's regulations regarding the nature and amount of compensation;

(m) Any person who performs the activities of a loan originator and who is employed by or under exclusive contract with a licensee that has a net worth on file with the director that exceeds twenty-five million dollars and who only offers loan products of affiliated lenders that are wholly owned by the same publicly traded company as the licensee;

[(9)] (10) "Financial institution", a savings and loan association, savings bank, credit union, mortgage banker or bank organized under the laws of Missouri or the laws of the United States with its principal place of business in Missouri;

[(10)] (11) "First-tier subsidiary", as defined by administrative rule promulgated by the director;

[(11)] (12) "Full-service office", office and staff in Missouri reasonably adequate to handle efficiently communications, questions and other matters relating to any application for a new, or existing, home mortgage loan which the licensee is brokering, funding, originating, purchasing or servicing. The management and operation of each full-service office must include observance of good business practices such as adequate, organized and accurate books and records, ample phone lines, hours of business, staff training and supervision and provision for a mechanism to resolve consumer inquiries, complaints and problems. The director shall promulgate regulations with regard to the requirements of this subdivision and shall include an evaluation of compliance with this subdivision in the periodic examination of the licensee;

[(12)] (13) "Government-insured mortgage loan", any mortgage loan made on the security of residential real estate insured by the Department of Housing and Urban Development or Farmers Home Loan Administration, or guaranteed by the Veterans Administration;

[(13)] (14) "Lender", any person who either lends money for or invests money in residential mortgage loans;

[(14)] (15) "Licensee" [or "residential mortgage licensee"], a person who is licensed to engage in [the] **mortgage brokering or loan originating activities as defined in and** regulated by sections 443.800 to 443.893;

[(15)] (16) "Loan broker" or "broker", a person exempted from licensing pursuant to subdivision (8) of this subsection, who performs the activities described in subdivisions [(17)] (19) and [(32)] (36) of this subsection;

[(16)] (17) **"Loan originator", a person who, for compensation or gain, solicits or receives a mortgage application, assembles information and prepares paperwork and documentation necessary for obtaining a residential mortgage loan, or arranges for a conditional mortgage loan commitment between a borrower and a lender, or arranges for a residential loan commitment from a lender, or solicits financial and mortgage information from the public for sale to another residential mortgage broker, but does not include a person who does not deal directly with borrowers, negotiate interest rates, advise on loan programs, offer loan locks or loan commitments, or individuals who complete incidental services in arranging or procuring a mortgage loan, including administrative staff whose primary function is the verification of data provided by the borrower, assembly of documents, and coordination of third party services such as ordering an appraisal, title report, or credit report;**

(18) "Loan brokerage agreement", a written agreement in which a broker agrees to do either of the following:

(a) Obtain a residential mortgage loan for the borrower or assist the borrower in obtaining a residential mortgage loan; or

(b) Consider making a residential mortgage loan to the borrower;

[(17)] (19) "Loan brokering", "mortgage brokering", or "mortgage brokerage service", the act of helping to obtain for an investor or from an investor for a borrower, a loan secured by residential real estate situated in Missouri or assisting an investor or a borrower in obtaining a loan secured by residential real estate in return for consideration;

[(18)] (20) "Making a residential mortgage loan" or "funding a residential mortgage loan", for compensation or gain, either, directly or indirectly, advancing funds or making a commitment to an applicant for a residential mortgage loan;

[(19)] (21) "Mortgage banker", a mortgage loan company which is subject to licensing, supervision, or annual audit requirements by the Federal National Mortgage Association (FNMA), or the Federal Home Loan Mortgage Corporation (FHLMC), or the United States Veterans Administration (VA), or the United States Department of Housing

and Urban Development (HUD), or a successor of any of the foregoing agencies or entities, as an approved lender, loan correspondent, seller, or servicer;

[(20)] **(22) "Mortgage broker" or "broker", a person licensed pursuant to this chapter who performs mortgage brokering and servicing;**

(23) "Mortgage loan" or "residential mortgage loan", a loan to, or for the benefit of, any natural person made primarily for personal, family or household use, including a reverse mortgage loan, primarily secured by either a mortgage or reverse mortgage on residential real property or certificates of stock or other evidence of ownership interests in, and proprietary leases from, corporations or partnerships formed for the purpose of cooperative ownership of residential real property;

[(21)] **(24) "Net worth", as provided in section 443.859;**

[(22)] **(25) "Originate" or "originating", [the advertising, soliciting, taking applications, processing, closing, or issuing of commitments for, and funding of, residential mortgage loans] those activities associated with a loan originator;**

[(23)] **(26) "Party to a residential mortgage financing transaction", a borrower, lender or loan broker in a residential mortgage financing transaction;**

[(24)] **(27) "Payments", payment of all, or any part of, the following: principal, interest and escrow reserves for taxes, insurance and other related reserves and reimbursement for lender advances;**

[(25)] **(28) "Person", any individual, firm, partnership, corporation, company or association and the legal successors thereof;**

[(26)] **(29) "Personal residence address", a street address, but shall not include a post office box number;**

[(27)] **(30) "Purchasing", the purchase of conventional or government-insured mortgage loans secured by residential real estate from either the lender or from the secondary market;**

[(28)] **(31) "Residential loan originator license certification course", a course of study consisting of sixteen hours of education followed by a one-hundred question examination relating to loan originating which is approved by the board;**

(32) "Residential mortgage board", the residential mortgage board created in section 443.816;

[(29)] **(33) "Residential mortgage financing transaction", the negotiation, acquisition, sale or arrangement for, or the offer to negotiate, acquire, sell or arrange for, a residential mortgage loan or residential mortgage loan commitment;**

[(30)] **(34) "Residential mortgage loan commitment", a written conditional agreement to finance a residential mortgage loan;**

[(31)] **(35) "Residential real property" or "residential real estate", real property located in this state improved by a one-family to four-family dwelling;**

[(32)] **(36) "Servicing", the collection or remittance for, or the right or obligation to collect or remit for, any lender, noteowner, noteholder or for a licensee's own account, of payments, interests, principal and trust items such as hazard insurance and taxes on a residential mortgage loan and includes loan payment follow-up, delinquency loan follow-up, loan analysis and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing;**

[(33)] **(37) "Soliciting, processing, placing or negotiating a residential mortgage loan", for compensation or gain, either, directly or indirectly, accepting or offering to accept an application for a residential mortgage loan, assisting or offering to assist in the processing of an application for a residential mortgage loan on behalf of a borrower, or negotiating or offering to negotiate the terms or conditions of a residential mortgage loan with a lender on behalf of a borrower including, but not limited to, the submission of credit packages for the approval of lenders, the preparation of residential mortgage loan closing documents, and including a closing in the name of a broker;**

[(34)] **(38) "Ultimate equitable owner", a person who, directly or indirectly, owns or controls an ownership interest in a corporation, foreign corporation, alien business organization, trust or any other form of business organization regardless of whether the person owns or controls the ownership interest through one or more persons or one or more proxies, powers of attorney, nominees, corporations, associations, partnerships, trusts, joint stock companies or other entities or devices, or any combination thereof.**

2. The director may define by rule any terms used in sections 443.800 to 443.893 for efficient and clear administration. **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held**

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

443.805. 1. No person shall engage in the business of brokering, funding, originating, servicing or purchasing of residential mortgage loans without first obtaining [a] **the applicable mortgage broker or loan originator** license from the director, pursuant to sections 443.800 to 443.893 and the regulations promulgated thereunder. The licensing provisions [of sections 443.805 to 443.812] shall not apply to any **exempt** entity [engaged solely in commercial mortgage lending or to any person exempt as provided in section 443.803 or pursuant to regulations promulgated as provided in sections 443.800 to 443.893], **as defined in subdivision (9) of subsection 1 of section 443.803, or employees of such exempt entity.**

2. No person except a licensee or exempt entity shall do any business under any name or title or circulate or use any advertising or make any representation or give any information to any person which indicates or reasonably implies activity within the scope of the provisions of sections 443.800 to 443.893.

3. The provisions of this section shall not apply to mortgage brokers or loan originators who were registered, licensed, or otherwise employed to originate loans prior to August 28, 2004. On and after such date, such individuals shall have until August 28, 2005, or their next license renewal date, whichever is earlier, to meet all loan originator licensing requirements as provided in sections 443.800 to 443.893.

443.821. The director shall issue a license upon completion of the following:

(1) The filing of [an] **a mortgage broker application or loan originator application, both of which shall include evidence of the satisfactory completion of the residential loan originator license certification course and examination;**

(2) The filing with the director of a listing of judgments entered against, and bankruptcy petitions by, the applicant for the preceding seven years;

(3) The payment of investigation and application fees to be established by administrative rule; and

(4) An investigation of the averments required by **subdivisions (1) to (21) of section 443.827** [which] **for a mortgage broker applicant and subdivisions (8) to (21) of section 443.827 for a loan originator applicant. The investigation must allow the director to issue positive findings stating that the financial responsibility, experience, character and general fitness of the applicant, and of the members thereof, if the applicant is a partnership or association, and of the officers and directors thereof if the applicant is a corporation, are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly and efficiently within the scope of sections 443.800 to 443.893. If the director does not find the applicant's business and personal conduct warrants the issuance of a license, the director shall notify the applicant of the denial with the reasons stated for such denial. An applicant may appeal such denial to the board.**

443.823. 1. All licenses shall be issued in duplicate with one copy being transmitted to the license applicant and the second being retained with the director. Upon receipt of such license, a [residential mortgage] licensee may engage in a business regulated by sections 443.800 to 443.893. Such license shall remain in full force and effect until it expires without renewal, is surrendered by the licensee or is revoked or suspended as provided in sections 443.800 to 443.893.

2. Upon receipt of a loan originator license, the licensee shall immediately deliver the license to his or her current employer. Upon termination of employment the license shall be transferred to a new employer and the director shall be notified. If the loan originator does not have a new employer, the license shall be returned to the director with a written explanation or the reasons for termination. The license may be returned to the licensee as determined by the director.

443.827. Each **broker** application shall be accompanied by an averment **of subdivisions (1) to (21) of the following, and each loan originator application shall be accompanied by an averment of subdivisions (8) to (21) of the following,** that the applicant:

(1) Will maintain at least one full-service office within the state of Missouri as provided in section 443.857;

(2) Will maintain staff reasonably adequate to meet the requirements of section 443.857;

(3) Will keep and maintain for thirty-six months the same written records as required by the federal Equal Credit Opportunity Act, 15 U.S.C. 1691, et seq., and any other information required by rules of the director;

(4) Will timely file any report required pursuant to sections 443.800 to 443.893;

(5) Will not engage, whether as principal or agent, in the practice of rejecting residential mortgage applications or varying terms or application procedures without reasonable cause, on real estate within any specific geographic area from the terms or procedures generally provided by the licensee within other geographic areas of the state;

(6) Will not engage in fraudulent home mortgage underwriting practices;

(7) Will not make payments, whether directly or indirectly, of any kind to any in-house or fee appraiser of any government or private money lending agency with which an application for a home mortgage has been filed for the purpose of influencing the independent judgment of the appraiser with respect to the value of any real estate which is to be covered by such home mortgage;

(8) Has filed tax returns, both state and federal, for the past three years or filed with the director a personal, an accountant's or attorney's statement as to why no return was filed;

(9) Will not engage in any activities prohibited by section 443.863;

(10) Will not knowingly misrepresent, circumvent or conceal any material particulars regarding a transaction to which the applicant is a party;

(11) Will disburse funds in accordance with the applicant's agreements through a licensed and bonded disbursing agent or licensed real estate broker;

(12) Has not committed any crime against the laws of this state, or any other state or of the United States, involving moral turpitude, fraudulent or dishonest dealings and that no final judgment has been entered against the applicant in a civil action upon grounds of fraud, misrepresentation or deceit which has not been previously reported to the director;

(13) Will account for and deliver to any person any personal property, including, but not limited to, money, funds, deposits, checks, drafts, mortgages or any other thing of value, which has come into the applicant's possession and which is not the applicant's property or which the applicant is not in law or equity entitled to retain under the circumstances, at the time which has been agreed upon or is required by law, or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery;

(14) Has not engaged in any conduct which would be cause for denial of a license;

(15) Has not become insolvent;

(16) Has not submitted an application which contains a material misstatement;

(17) Has not demonstrated negligence or incompetence in the performance of any activity required to hold a license under sections 443.800 to 443.893;

(18) Will advise the director in writing of any changes to the information submitted on the most recent application for license within forty-five days of such change. The written notice must be signed in the same form as the application for the license being amended;

(19) Will comply with the provisions of sections 443.800 to 443.893, or with any lawful order or rule made thereunder;

(20) When probable cause exists, will submit to periodic examinations by the director as required by sections 443.800 to 443.893; and

(21) Will advise the director in writing of any judgments entered against, and bankruptcy petitions by, the license applicant within five days of the occurrence of the judgment or petition.

443.833. 1. Licenses shall be renewed on the first anniversary of the date of issuance and every two years thereafter. Renewal application forms and fees shall be submitted to the director at least sixty days before the renewal date. **A renewal application shall include evidence of the satisfactory completion of sixteen hours of continuing education.**

2. The director shall send notice at least ninety days before the licensee's renewal date, but failure to send or receive such notice is no defense for failure to timely renew, except when an extension for good cause is granted by the director. If the director does not grant an extension and the licensee fails to submit a completed renewal application form and the proper fees in a timely manner, the director may assess additional fees as follows:

(1) A fee of five hundred dollars shall be assessed the licensee thirty days after the proper renewal date, and one thousand dollars each month thereafter, until the license is either renewed or expires pursuant to subsections 3 and 4 of this section;

(2) Such fee shall be assessed without prior notice to the licensee, but shall be assessed only in cases where the director possesses documentation of the licensee's continuing activity for which the unexpired license was issued.

3. A license which is not renewed by the date required in this section shall automatically become inactive. No activity regulated by sections 443.800 to 443.893 shall be conducted by the licensee when a license becomes inactive. An inactive license may be reactivated by filing a completed reactivation application with the director, payment of the renewal fee, and payment of a reactivation fee equal to the renewal fee.

4. A license which is not renewed within one year of becoming inactive shall expire.

443.839. 1. A **mortgage broker** licensee may apply for authority to open and maintain additional offices by:

(1) Giving the director prior notice of the licensee's intention in such form as prescribed by the director;

(2) Paying a fee to be established by the director by administrative rule.

2. Upon receipt of the notice and fee required by subsection 1 of this section, the director shall issue a certificate for the additional office. The certificate shall be conspicuously displayed in the respective additional office.

443.849. A corporate surety bond in the principal sum of twenty thousand dollars shall accompany each application for a **mortgage broker** license. The bond shall be in a form satisfactory to the director and shall be issued by a bonding company or insurance company authorized to do business in this state, to secure the faithful performance of the obligations of the applicant and the agents and subagents of the applicant in connection with the activities of originating, servicing or acquiring mortgage loans. An applicant or licensee may, in lieu of filing the bond required pursuant to this section, provide the director with a twenty thousand dollar irrevocable letter of credit, as defined in section 400.5-103, RSMo, issued by any financial institution.

443.851. 1. At the end of the **mortgage broker** licensee's fiscal year, but in no case more than twelve months after the last audit conducted pursuant to this section and section 443.853, each **mortgage broker** licensee shall cause the **mortgage broker** licensee's books and accounts to be audited by a certified public accountant not connected with such **mortgage broker** licensee. The books and records of all **mortgage broker** licensees shall be maintained on an accrual basis. The audit shall be sufficiently comprehensive in scope to permit the expression of an opinion on the financial statements in the report and must be performed in accordance with generally accepted accounting principles and generally accepted auditing standards.

2. As used in this section and section 443.853, the term "expression of opinion" includes either:

- (1) An unqualified opinion;
- (2) A qualified opinion;
- (3) A disclaimer of opinion; or
- (4) An adverse opinion.

3. If a qualified or adverse opinion is expressed or if an opinion is disclaimed, the reasons therefor shall be fully explained. An opinion, qualified as to a scope limitation, shall not be acceptable.

4. The audit report shall be filed with the director within one hundred twenty days of the audit date. The report filed with the director shall be certified by the certified public accountant conducting the audit. The director may promulgate rules regarding late audit reports.

5. As an alternative to the audit requirements of subsections 1 to 4 of this section, a **mortgage broker** licensee may meet the requirements of this section without filing an audit report by posting and maintaining a corporate surety bond, in addition to that described in section 443.849, in the amount of one hundred thousand dollars. The bond shall be in form specified by and satisfactory to the director and payable to the director and shall be issued by a bonding company or insurance company authorized to do business in this state, to secure the faithful performance of the obligations of the **mortgage broker** licensee, its agents and subagents in connection with the activities of originating, servicing or acquiring mortgage loans. A **mortgage broker** licensee may, in lieu of this bond, provide the director with a one hundred thousand dollar irrevocable letter of credit, as defined in section 400.5-103, RSMo, issued by any financial institution.

443.855. In addition to such other rules the director may promulgate to effectuate sections 443.800 to 443.893, the director shall prescribe rules governing the advertising of mortgage loans, including, without limitation, the following requirements:

(1) Advertising for loans transacted pursuant to the requirements of sections 443.800 to 443.893 may not be false, misleading or deceptive. No person whose activities are regulated pursuant to the provisions of sections 443.800 to 443.893 may advertise in any manner so as to indicate or imply that the person's interest rates or charges for loans are in any way recommended, approved, set or established by the state or by the provisions of sections 443.800 to 443.893;

(2) All advertisements by a **mortgage broker** licensee shall contain the name and an office address of such entity, which shall conform to a name and address on record with the director.

443.857. Each **mortgage broker** licensee shall maintain, in the state of Missouri, at least one full-service office with staff reasonably adequate to efficiently handle all matters relating to any proposed or existing home mortgage with respect to which such licensee is performing services.

443.859. Effective [May 21, 1998] **January 1, 2005**, every **mortgage broker** licensee shall have and maintain a net worth of not less than [twenty-five] **fifty** thousand dollars. The director may promulgate rules with respect to net worth definitions and requirements for **mortgage broker** licensees as necessary to accomplish the purposes of sections 443.800 to 443.893. [In lieu of the net worth requirement established by this section, the director may accept evidence of conformance by the licensee with the net worth requirements of the United States Department of Housing and Urban Development.]

443.885. On or before March first of each year, each **mortgage broker** licensee, except those exempt entities provided for in subsection 8 of section 443.803, shall file a report with the director which shall disclose the following information with respect to the immediately preceding calendar year:

(1) A list of home mortgages granted, issued, originated or closed during the report period, with respect to which such licensee has had any connection. The list shall show for each census tract, in regions where such census tracts have been established and by zip code in all other regions, the number and aggregate dollar amount of applications for and the number granted and aggregate dollar amount of:

(a) Conventional mortgage loans;
(b) Mortgage loans insured under the National Housing Act, 12 U.S.C. 1701, et seq.; and
(c) Mortgage loans guaranteed under the provisions of the Federal Veterans' Benefits Act, 38 U.S.C. 3710 et seq.;

(2) List by zip code in those areas having no census tract:

(a) The total number of home mortgages on real estate situated in this state with respect to which the licensee has had any connection and which are in default on the last day of the reporting period; and

(b) The total number of claims paid during the reporting period on home mortgages with respect to which the licensee has had any connection, including the date of the first default thereon and the date each such foreclosure proceeding was instituted;

(3) If the director finds that another report that the licensee is required to compile is equivalent to the annual report of mortgage activity, then the director may accept such report as fulfilling the reporting requirements of this section;

(4) The director may also require by rule that licensees report such additional information as is necessary to assure strict compliance with the provisions of sections 443.800 to 443.893."; and

Further amend said title, enacting clause and intersectional references accordingly.

HCS SS SS SCS SB 1122, with House Amendment No. 4 and HS, as amended, pending,
was laid over.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS HCS SS SCS SB 968 and SCS SB 969: Representatives Baker, Cunningham (86), Wallace, Wildberger and Davis (122)

HCS SCS SB 758: Representatives Nieves, Cooper (120), Sutherland, Corcoran and Villa

HS HCS SCS SBs 1020, 889 & 869: Representatives Goodman, Schlottach, Wright, Harris (23) and LeVota

Speaker Pro Tem Jetton resumed the Chair.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1548**, entitled:

To amend chapter 105, RSMo, by adding thereto one new section relating to state employees' pay

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1548, Page 1, Section 105.935, Line 7, by striking “subsection 3” and inserting in lieu thereof the following:

“subsection 4”.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 1548, Page 2, Section 105.935, Line 53, by inserting immediately after said line the following:

“211.181. 1. When a child or person seventeen years of age is found by the court to come within the applicable provisions of subdivision (1) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child or person seventeen years of age, and the court may, by order duly entered, proceed as follows:

(1) Place the child or person seventeen years of age under supervision in his own home or in the custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child or person seventeen years of age to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes; except that, such child or person seventeen years of age may not be committed to the department of social services, division of youth services;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive the child or person seventeen years of age in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child or person seventeen years of age in a family home;

(4) Cause the child or person seventeen years of age to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child or person seventeen years of age requires it, cause the child or person seventeen years of age to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child or person seventeen years of age whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) The court may order, pursuant to subsection 2 of section 211.081, that the child receive the necessary services in the least restrictive appropriate environment including home and community-based services, treatment and support, based on a coordinated, individualized treatment plan. The individualized treatment plan shall be approved by the court and developed by the applicable state agencies responsible for providing or paying for any and all appropriate and necessary services, subject to appropriation, and shall include which agencies are going to pay for and provide such services. Such plan must be submitted to the court within thirty days and the child's family shall actively participate in designing the service plan for the child or person seventeen years of age.

2. When a child is found by the court to come within the provisions of subdivision (2) of subsection 1 of section 211.031, the court shall so decree and upon making a finding of fact upon which it exercises its jurisdiction over the child, the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or place them in family homes; except that, a child may be committed to the department of social services, division of youth services, only if he is presently under the court's supervision after an adjudication under the provisions of subdivision (2) or (3) of subsection 1 of section 211.031;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child in a family home;

(4) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) Assess an amount of up to ten dollars to be paid by the child to the clerk of the court. Execution of any order entered by the court pursuant to this subsection, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed.

3. When a child is found by the court to come within the provisions of subdivision (3) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child, and the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Beginning January 1, 1996, the court may make further directions as to [placement with] **the commitment to the division of youth services concerning the child's length of stay in the custody of the division of youth services.** The length of stay order may set forth a minimum review date;

(4) Place the child in a family home;

(5) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(6) Suspend or revoke a state or local license or authority of a child to operate a motor vehicle;

(7) Order the child to make restitution or reparation for the damage or loss caused by his offense. In determining the amount or extent of the damage, the court may order the juvenile officer to prepare a report and may receive other evidence necessary for such determination. The child and his attorney shall have access to any reports which may be prepared, and shall have the right to present evidence at any hearing held to ascertain the amount of damages. Any restitution or reparation ordered shall be reasonable in view of the child's ability to make payment or to perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment ordered;

(8) Order the child to a term of community service under the supervision of the court or of an organization selected by the court. Every person, organization, and agency, and each employee thereof, charged with the supervision of a child under this subdivision, or who benefits from any services performed as a result of an order issued under this subdivision, shall be immune from any suit by the child ordered to perform services under this subdivision, or any person deriving a cause of action from such child, if such cause of action arises from the supervision of the child's performance of services under this subdivision and if such cause of action does not arise from an intentional tort. A child ordered to perform services under this subdivision shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such child be deemed employment within the meaning of the provisions of chapter 288, RSMo. Execution of any order entered by the court, including a commitment to any state agency, may be suspended

and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed;

(9) When a child has been adjudicated to have violated a municipal ordinance or to have committed an act that would be a misdemeanor if committed by an adult, assess an amount of up to twenty-five dollars to be paid by the child to the clerk of the court; when a child has been adjudicated to have committed an act that would be a felony if committed by an adult, assess an amount of up to fifty dollars to be paid by the child to the clerk of the court.

4. Beginning January 1, 1996, the court may set forth in the order of commitment the minimum period during which the child shall remain in the custody of the division of youth services. **The division of youth services shall determine the type, level, and location of placement, as well as the length of stay, in either a residential or non-residential program, to comply with the determinate length of stay in the custody of the division of youth services as set forth in the order of commitment.** No court order shall require a child to remain in the custody of the division of youth services for a period which exceeds the child's eighteenth birth date except upon petition filed by the division of youth services pursuant to subsection 1 of section 219.021, RSMo. In any order of commitment of a child to the custody of the division of youth services, the division shall determine the appropriate **length of stay in a program or placement** pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1, 1996, the department shall not discharge a child from the custody of the division of youth services before the child completes the length of stay **in the custody of the division of youth services** as determined by the court in the commitment order unless the committing court orders otherwise. The director of the division of youth services may at any time petition the court for a review of a child's length of stay commitment order, and the court may, upon a showing of good cause, order the early discharge of the child from the custody of the division of youth services. The division may discharge the child from the division of youth services without a further court order after the child completes the length of stay **in the custody of the division of youth services** as determined by the court or may retain the child for any period after the completion of the length of stay in accordance with the law.

5. When an assessment has been imposed under the provisions of subsection 2 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit where the assessment is imposed by court order, to be deposited in a fund established for the sole purpose of payment of judgments entered against children in accordance with section 211.185.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 1548, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“105.055. 1. No supervisor or appointing authority of any state agency shall prohibit any employee of the agency from discussing the operations of the agency, either specifically or generally, with any member of the legislature [or the], state auditor, **attorney general, or any state official or body charged with investigating such alleged misconduct.**

2. No supervisor or appointing authority of any state agency shall:

(1) Prohibit a state employee from or take any disciplinary action whatsoever against a state employee for the disclosure of any alleged prohibited activity under investigation or any related activity, or for the disclosure of information which the employee reasonably believes evidences:

(a) A violation of any law, rule or regulation; or

(b) Mismanagement, a gross waste of funds or abuse of authority, or a substantial and specific danger to public health or safety, if the disclosure is not specifically prohibited by law; or

(2) Require any such employee to give notice to the supervisor or appointing authority prior to making any such report.

3. This section shall not be construed as:

(1) Prohibiting a supervisor or appointing authority from requiring that an employee inform the supervisor or appointing authority as to legislative requests for information to the agency or the substance of testimony made, or to be made, by the employee to legislators on behalf of the employee to legislators on behalf of the agency;

(2) Permitting an employee to leave the employee's assigned work areas during normal work hours without following applicable rules and regulations and policies pertaining to leaves, unless the employee is requested by a legislator or legislative committee to appear before a legislative committee;

(3) Authorizing an employee to represent the employee's personal opinions as the opinions of a state agency;
or

(4) Restricting or precluding disciplinary action taken against a state employee if: the employee knew that the information was false; the information is closed or is confidential under the provisions of the open meetings law or any other law; or the disclosure relates to the employee's own violations, mismanagement, gross waste of funds, abuse of authority or endangerment of the public health or safety.

4. As used in this section, "disciplinary action" means any dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal or withholding of work, whether or not the withholding of work has affected or will affect the employee's compensation.

5. Any employee may file an administrative appeal whenever the employee alleges that disciplinary action was taken against the employee in violation of this section. The appeal shall be filed with the state personnel advisory board; provided that the appeal shall be filed with the appropriate agency review board or body of nonmerit agency employers which have established appeal procedures substantially similar to those provided for merit employees in subsection 5 of section 36.390, RSMo. The appeal shall be filed within thirty days of the alleged disciplinary action. Procedures governing the appeal shall be in accordance with chapter 36, RSMo. If the board or appropriate review body finds that disciplinary action taken was unreasonable, the board or appropriate review body shall modify or reverse the agency's action and order such relief for the employee as the board considers appropriate. If the board finds a violation of this section, it may review and recommend to the appointing authority that the violator be suspended on leave without pay for not more than thirty days or, in cases of willful or repeated violations, may review and recommend to the appointing authority that the violator forfeit the violator's position as a state officer or employee and disqualify the violator for appointment to or employment as a state officer or employee for a period of not more than two years. The decision of the board or appropriate review body in such cases may be appealed by any party pursuant to law.

6. Each state agency shall prominently post a copy of this section in locations where it can reasonably be expected to come to the attention of all employees of the agency.

7. (1) In addition to the remedies in subsection 6 of this section, a person who alleges a violation of this section may bring a civil action for damages within ninety days after the occurrence of the alleged violation.

(2) A civil action commenced pursuant to this subsection may be brought in the circuit court for the county where the alleged violation occurred, the county where the complainant resides, or the county where the person against whom the civil complaint is filed resides.

(3) An employee must show by clear and convincing evidence that he or she or a person acting on his or her behalf has reported or was about to report, verbally or in writing, a prohibited activity or a suspected prohibited activity.

(4) A court, in rendering a judgment in an action brought pursuant to this section, shall order, as the court considers appropriate, actual damages, and may also award the complainant all or a portion of the costs of litigation, including reasonable attorney fees."; and

Further amend said bill, Page 2, Section 105.935, Line 53, by inserting immediately after said line the following:

"610.028. 1. Any public governmental body may provide for the legal defense of any member charged with a violation of sections 610.010 to 610.030.

2. Each public governmental body shall provide a reasonable written policy in compliance with sections 610.010 to 610.030, open to public inspection, regarding the release of information on any meeting, record or vote and any member or employee of the public governmental body who complies with the written policy is not guilty of a violation of the provisions of sections 610.010 to 610.030 or subject to civil liability for any act arising out of his adherence to the written policy of the agency.

3. No person who in good faith reports a violation of the provisions of sections 610.010 to 610.030 is civilly liable for making such report, nor, if such person is an officer or employee of a public governmental body, may such person be demoted, fired, **harassed**, suspended, or otherwise disciplined for making such report."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 1548, Page 2, Section 105.935, Line 53, by inserting after all of said line the following:

"386.135. 1. The commission shall have an independent technical advisory staff of up to six full-time employees. The advisory staff shall have expertise in accounting, economics, finance, engineering/utility operations, law, or public policy.

2. In addition, each commissioner shall also have the authority to retain one personal advisor, who shall be deemed a member of the technical advisory staff. The personal advisors will serve at the pleasure of the individual commissioner whom they serve and shall possess expertise in one or more of the following fields: accounting, economics, finance, engineering/utility operations, law, or public policy.

3. The commission shall only hire technical advisory staff pursuant to subsections 1 and 2 of this section if there is a corresponding elimination in comparable staff positions for commission staff to offset the hiring of such technical advisory staff on a cost-neutral basis. Such technical advisory staff shall be hired on or before July 1, 2005.

4. It shall be the duty of the technical advisory staff to render advice and assistance to the commissioners and the commission's [hearing officers] **administrative law judges** on technical matters within their respective areas of expertise that may arise during the course of proceedings before the commission.

5. The technical advisory staff shall also update the commission and the commission's [hearing officers] **administrative law judges** periodically on developments and trends in public utility regulation, including updates comparing the use, nature, and effect of various regulatory practices and procedures as employed by the commission and public utility commissions in other jurisdictions.

6. Each member of the technical advisory staff shall be subject to any applicable ex parte or conflict of interest requirements in the same manner and to the same degree as any commissioner, provided that neither any person regulated by, appearing before, or employed by the commission shall be permitted to offer such member a different appointment or position during that member's tenure on the technical advisory staff.

7. No employee of a company or corporation regulated by the public service commission, no employee of the office of public counsel or the public counsel, and no staff members of either the utility operations division or utility services division who were an employee or staff member on, during the two years immediately preceding, or anytime after August 28, 2003, may be a member of the commission's technical advisory staff for two years following the termination of their employment with the corporation, office of public counsel or commission staff member.

8. The technical advisory staff shall never be a party to any case before the commission."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1403**, entitled:

An act to repeal sections 316.203, 316.204, 316.210, 316.218, 316.230, 316.233, and 701.377, RSMo, and to enact in lieu thereof nine new sections relating to amusement rides, with penalty provisions for certain sections, and an effective date.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 1453**, entitled:

An act to repeal 26.740, 43.503, 43.530, 43.540, 135.327, 167.020, 192.016, 207.050, 207.060, 210.025, 210.102, 210.109, 210.110, 210.145, 210.150, 210.152, 210.153, 210.160, 210.183, 210.201, 210.211, 210.518, 210.565, 210.760, 210.903, 210.909, 211.031, 211.032, 211.059, 211.171, 211.181, 211.321, 302.272, 431.056, 452.375, 452.400, 453.020, 453.025, 453.030, 453.060, 453.110, 475.024, 487.100, 491.075, 492.304, 537.046, and 701.336, RSMo, and to enact in lieu thereof seventy-six new sections relating to foster care and protection of children, with penalty provisions and an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 11, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16 and Senate Amendment No. 17.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Pages 50-56, Section 210.112, by striking all of said section and inserting in lieu thereof the following:

“210.112. 1. It is the policy of this state and its agencies to implement a foster care and child protection and welfare system focused on providing the highest quality of services and outcomes for children and their families. The department of social services shall implement such system subject to the following principles:

- (1) The safety and welfare of children is paramount;**
- (2) Providers of direct services to children and their families will be evaluated in a uniform and consistent basis;**
- (3) Services to children and their families shall be provided in a timely manner to maximize the opportunity for successful outcomes; and**
- (4) Any provider of direct services to children and families shall have the appropriate and relevant training, education, and expertise to provide the highest quality of services possible which shall be consistent with the federal standards, but not less than the standards and policies used by the children's division as of January 1, 2004.**

2. On or before July 1, 2005, and subject to appropriations, the children's division and any other state agency deemed necessary by the division shall, in consultation with the community and providers of services, enter into and implement contracts with qualified children's services providers and agencies to provide a comprehensive and deliberate system of service delivery for children and their families. Contracts shall be awarded through a competitive process and provided by children's services providers and agencies currently contracting with the state to provide such services and by public and private not-for-profit or limited liability corporations owned exclusively by not-for-profit corporations children's services providers and agencies which have:

- (1) A proven record of providing child welfare services within the state of Missouri which shall be consistent with the federal standards, but not less than the standards and policies used by the children's division as of January 1, 2004; and**
- (2) The ability to provide a range of child welfare services, which may include case management services, family-centered services, foster and adoptive parent recruitment and retention, residential care, in-home services, foster care services, adoption services, relative care case management, planned permanent living services, and family reunification services.**

No contracts shall be issued for services related to the child abuse and neglect hotline, investigations of alleged abuse and neglect, and initial family assessments. Any contracts entered into by the division shall be in accordance with all federal laws and regulations, and shall not result in the loss of federal funding. Such children's services providers and agencies under contract with the division shall be subject to all federal, state, and local laws and regulations relating to the provision of such services, and shall be subject to oversight and inspection by appropriate state agencies to assure compliance with standards which shall be consistent with the federal standards, but not less than the standards and policies used by the children's division as of January 1, 2004.

3. In entering into and implementing contracts under subsection 2 of this section, the division shall consider and direct their efforts towards geographic areas of the state, including Greene County, where eligible direct children's services providers and agencies are currently available and capable of providing a broad range of services, including case management services, family-centered services, foster and adoptive parent recruitment and retention, residential care, family preservation services, foster care services, adoption services, relative care case management, other planned living arrangements, and family reunification services consistent with federal guidelines. Nothing in this subsection shall prohibit the division from contracting on an as-needed basis for any individual child welfare service listed above.

4. The contracts entered into under this section shall assure that:

(1) Child welfare services shall be delivered to a child and the child's family by professionals who have substantial and relevant training, education, or competencies otherwise demonstrated in the area of children and family services;

(2) Children's services providers and agencies shall be evaluated by the division based on objective, consistent, and performance-based criteria;

(3) Any case management services provided shall be subject to a case management plan established under subsection 5 of this section which is consistent with all relevant federal guidelines. The case management plan shall focus on attaining permanency in children's living conditions to the greatest extent possible and shall include concurrent planning and independent living where appropriate in accordance with the best interests of each child served and considering relevant factors applicable to each individual case as provided by law, including:

(a) The interaction and interrelationship of a child with the child's foster parents, biological or adoptive parents, siblings, and any other person who may significantly affect the child's best interests;

(b) A child's adjustment to his or her foster home, school, and community;

(c) The mental and physical health of all individuals involved, including any history of abuse of or by any individuals involved; and

(d) The needs of the child for a continuing relationship with the child's biological or adoptive parents and the ability and willingness of the child's biological or adoptive parents to actively perform their functions as parents with regard to the needs of the child;

(4) The delivery system shall have sufficient flexibility to take into account children and families on a case-by-case basis;

(5) The delivery system shall provide a mechanism for the assessment of strategies to work with children and families immediately upon entry into the system to maximize permanency and successful outcome in the shortest time possible and shall include concurrent planning. Outcome measures for private and public agencies shall be equal for each program; and

(6) Payment to the children's services providers and agencies shall be made based on the reasonable costs of services, including responsibilities necessary to execute the contract. Contracts shall provide incentives in addition to the costs of services provided in recognition of accomplishment of the case goals and the corresponding cost savings to the state. The division shall promulgate rules to implement the provisions of this subdivision.

5. Contracts entered into under this section shall require that a case management plan consistent with all relevant federal guidelines shall be developed for each child at the earliest time after the initial investigation, but in no event longer than fourteen days after the initial investigation or referral to the contractor by the division. Such case management plan shall be presented to the court and be the foundation of service delivery to the child and family. The case management plan shall, at a minimum, include:

(1) An outcome target based on the child and family situation achieving permanency or independent living, where appropriate;

(2) Services authorized and necessary to facilitate the outcome target;

(3) Timeframes in which services will be delivered; and

(4) Necessary evaluations and reporting.

In addition to any visits and assessments required under case management, services to be provided by a public or private children's services provider under the specific case management plan may include family-centered services, foster and adoptive parent recruitment and retention, residential care, in-home services, foster care services, adoption services, relative care case services, planned permanent living services, and family reunification services. In all cases, an appropriate level of services shall be provided to the child and family after permanency is achieved to assure a continued successful outcome.

6. On or before July 15, 2006, and each July fifteenth thereafter that the project is in operation, the division shall submit a report to the general assembly which shall include:

(1) Details about the specifics of the contracts, including the number of children and families served, the cost to the state for contracting such services, the current status of the children and families served, an assessment of the quality of services provided and outcomes achieved, and an overall evaluation of the project; and

(2) Any recommendations regarding the continuation or possible statewide implementation of such project; and

(3) Any information or recommendations directly related to the provision of direct services for children and their families that any of the contracting children's services providers and agencies request to have included in the report.

7. The division shall accept as prima facie evidence of completion of the requirements for licensure under sections 210.481 to 210.511 proof that an agency is accredited by any of the following nationally recognized bodies: the Council on Accreditation of Services, Children and Families, Inc.; the Joint Commission on Accreditation of Hospitals; or the Commission on Accreditation of Rehabilitation Facilities. The division shall not require any further evidence of qualification for licensure if such proof of voluntary accreditation is submitted.

8. By February 1, 2005, the children's division shall promulgate and have in effect rules to implement the provisions of this section, and pursuant to this section, shall define implementation plans and dates. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 160, Section 1, Lines 3-10 of said page, by striking said lines and inserting in lieu thereof the following:

“When the parents maintain joint domicile or comply with court-ordered visitation, there shall be a rebuttable presumption that the nonoffending parent has not committed any violation of sections 568.030, 568.032, 568.045, 568.050, or 568.060, RSMo, or has not engaged in any conduct that would constitute child abuse or neglect under chapter 210, RSMo. In order to rebut the presumption there must be a finding of actual harm or endangerment to the child if the child is placed in the custody of the nonoffending parent.”.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 90, Section 210.201, Line 7, by deleting the word “private” and inserting in lieu thereof the word **“public”**.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 145, Section 452.400, Line 4, by inserting after all of said line the following:

“452.423. 1. In all proceedings for child custody or for dissolution of marriage or legal separation where custody, visitation, or support of a child is a contested issue, the court may appoint a guardian ad litem. [The court shall appoint a guardian ad litem in any proceeding in which child abuse or neglect is alleged.] Disqualification of a guardian ad litem shall be ordered in any legal proceeding only pursuant to [chapter 210, RSMo, or] this chapter, upon the filing of a written application by any party within ten days of appointment, or within ten days of August 28, 1998, if the appointment occurs prior to August 28, 1998. Each party shall be entitled to one disqualification of a guardian ad litem **appointed under this subsection** in each proceeding, except a party may be entitled to additional disqualifications of a guardian ad litem for good cause shown.

2. The court shall appoint a guardian ad litem in any proceeding in which child abuse or neglect is alleged.

3. The guardian ad litem shall:

(1) Be the legal representative of the child at the hearing, and may examine, cross-examine, subpoena witnesses and offer testimony;

(2) Prior to the hearing, conduct all necessary interviews with persons having contact with or knowledge of the child in order to ascertain the child's wishes, feelings, attachments and attitudes. If appropriate, the child should be interviewed;

(3) Request the juvenile officer to cause a petition to be filed in the juvenile division of the circuit court if the guardian ad litem believes the child alleged to be abused or neglected is in danger.

[3.] **4.** The appointing judge shall require the guardian ad litem to faithfully discharge such guardian ad litem's duties, and upon failure to do so shall discharge such guardian ad litem and appoint another. The judge in making appointments pursuant to this section shall give preference to persons who served as guardian ad litem for the child in the earlier proceeding, unless there is a reason on the record for not giving such preference.

[4.] **5.** The guardian ad litem shall be awarded a reasonable fee for such services to be set by the court. The court, in its discretion, may award such fees as a judgment to be paid by any party to the proceedings or from public funds. Such an award of guardian fees shall constitute a final judgment in favor of the guardian ad litem. Such final judgment shall be enforceable against the parties in accordance with chapter 513, RSMo.

[5.] **6.** The court may designate volunteer advocates, who may or may not be attorneys licensed to practice law, to assist in the performance of the guardian ad litem duties for the court. The volunteer advocate shall be provided with all reports relevant to the case made to or by any agency or person and shall have access to all records of such agencies or persons relating to the child or such child's family members. Any such designated person shall receive no compensation from public funds. This shall not preclude reimbursement for reasonable expenses.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 18, Section 135.327, Line 27, by deleting all of said line and inserting in lieu thereof the following:

“residents or wards of residents”; and

Further amend said bill, Page 19, Section 135.327, Line 22, by inserting after the word **“wards”** the following:

“of residents”; and

Further amend said bill, Page 19, Section 135.327, Line 23, by deleting all of said line and inserting in lieu thereof the words **“of this state at”**; and

Further amend said bill, Page 19, Section 135.327, Line 26, by inserting after the word **“wards”** the following:

“of residents”; and

Further amend said bill, Page 19, Section 135.327, Line 27, by deleting all of said line and inserting in lieu thereof **“at the time the”**.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 46, Section 210.109, Line 8, by deleting the word “court” and inserting in lieu thereof the word **“legal”**; and

Further amend said bill and section, Page 46, Line 9, by deleting the word “may” and inserting in lieu thereof the word **“shall”**.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 82, Section 210.160, Line 4, by inserting after “**litem**” on said line the following:

“, **licensed in the practice of law,**”; and

Further amend said bill, Page 83, same section, Line 21, by inserting after “**duties**” the following:

“, **only under direct and consistent supervision of an attorney,**”.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 145, Section 452.400, Line 4 of said page, by inserting after all of said line the following:

“452.455. 1. Any petition for modification of child custody decrees filed under the provisions of section 452.410, or sections 452.440 to 452.450, shall be verified and, if the original proceeding originated in the state of Missouri, shall be filed in that original case, but service shall be obtained and responsive pleadings may be filed as in any original proceeding.

2. Before making a decree under the provisions of section 452.410, or sections 452.440 to 452.450, the litigants, any parent whose parental rights have not been previously terminated, and any person who has physical custody of the child must be served in the manner provided by the rules of civil procedure and applicable court rules and may within thirty days after the date of service (forty-five days if service by publication) file a verified answer. If any of these persons is outside this state, notice and opportunity to be heard shall be given pursuant to section 452.460.

3. In any case in which the paternity of a child has been determined by a court of competent jurisdiction and where the noncustodial parent is delinquent in the payment of child support in an amount in excess of ten thousand dollars, the custodial parent shall have the right to petition a court of competent jurisdiction for the termination of the parental rights of the noncustodial parent.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 61, Section 210.145, Lines 5-7, by deleting said lines and insert in lieu thereof the following:

“child’s school or child-care facility] **in any school building or child care facility building where abuse of such child is alleged to have occurred.** When the child is reported”.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 68, Section 210.147, Line 7, by deleting all of said line and inserting in lieu thereof the following:

“**the parents of the child or any other party.**”; and

Further amend said bill, section and page, Lines 10-29, by deleting all of said lines; and

Further amend said bill and section, Page 69, Lines 1-22, by deleting all of said lines; and

Further amend said bill and section, Page 69, Line 26, by inserting after all of said line the following:

“The content of the form shall be consistent with service agreements or case plans required by statute, and shall include the following: location, but not the specific address of the child; whether the child shall remain in current placement or be moved to a new placement; visitation schedule for the child’s family; and any additional core commitments.”.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 145, Section 452.400, Line 4 of said page, by inserting after all of said line the following:

“452.455. 1. Any petition for modification of child custody decrees filed under the provisions of section 452.410, or sections 452.440 to 452.450, shall be verified and, if the original proceeding originated in the state of Missouri, shall be filed in that original case, but service shall be obtained and responsive pleadings may be filed as in any original proceeding.

2. Before making a decree under the provisions of section 452.410, or sections 452.440 to 452.450, the litigants, any parent whose parental rights have not been previously terminated, and any person who has physical custody of the child must be served in the manner provided by the rules of civil procedure and applicable court rules and may within thirty days after the date of service (forty-five days if service by publication) file a verified answer. If any of these persons is outside this state, notice and opportunity to be heard shall be given pursuant to section 452.460.

3. When a person filing a petition for modification of a child custody decree owes past due child support to a custodial parent, such person shall post a bond in the amount of past due child support owed as ascertained by the division of child support enforcement or reasonable legal fees of the custodial parent, whichever is greater, before the filing of the petition. The court shall hold the bond in escrow until the modification proceedings pursuant to this section have been concluded wherein such bond shall be transmitted to the division of child support enforcement for disbursement to the custodial parent.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 24, Section 167.020, Line 9, by inserting after the end of said line the following:

“167.166. 1. No employee, volunteer, or school board member of any public school or charter school within this state, and no employee of the department of social services, shall perform or direct a strip search as defined in section 544.193, RSMo, of any student of any such school. No employee, volunteer, or school board member of any public school or charter school within this state, and no employee of the department of social services, shall direct a student to take part in, direct, supervise, be present for or witness a strip search of a fellow student. Any employee, volunteer, or school board member who violates this subsection shall be immediately suspended from their association with the school or with the department, without pay if such person would otherwise receive pay, pending an evidentiary hearing on the matter. In the event the person suspended is found, after an evidentiary hearing, to have violated this subsection, such person shall be subject to sanctions up to and including termination from the school, or on the school board, or with the department of social services.

2. In the event a certified law enforcement officer has probable cause to believe that a student of a public or charter school in this state has concealed a deadly or dangerous weapon on the student’s person and is present on the property of the school, such officer may detain the student for the limited purpose of conducting a search and may conduct a strip search of such student as defined and limited in section 544.193, RSMo, and pursuant to the limitations and provisions of this subsection, only to the limited extent reasonably necessary to determine whether the student has possession of a deadly or dangerous weapon and to take possession of any such weapon if found on the person of the student. No male law enforcement officer shall conduct or be present during the strip search of a female student performed pursuant to this subsection. No female law enforcement officer shall conduct or be present during the strip search of a male student performed pursuant to this subsection. Any student to be strip searched pursuant to this subsection shall not be strip searched until the principal of the school or a law enforcement officer has made contact with the student’s parents or legal guardians, or with the foster parents if the student is in the custody of the department of social services, and informed such persons of the impending

strip search and notified such persons of the provisions of this section. In the event a parent, legal guardian, or foster parent of the student is successfully contacted and expresses a desire to be present during the strip search, the strip search shall not be commenced until the parent, legal guardian or foster parent expressing such desire has been given at least thirty minutes to appear at the location of the strip search; except, if the parent or legal guardian is subject to a court order of protection in favor of the student, such person's desire to be present shall not delay the commencement of the strip search. Nothing contained in this section shall authorize a parent, legal guardian, or any other person to violate a court order of protection prohibiting such parent, legal guardian or other person from being in the presence of the student.

3. In the event any strip search of a student is conducted pursuant to this section, the school principal, in conjunction with the certified law enforcement officer, shall prepare a comprehensive written report of the entire incident leading to the strip search and of the strip search itself. The report shall include, but not be limited to, the name, address, employer, title and gender of each person present at the strip search. The full written report shall be hand delivered to the student's parents or legal guardians or foster parents, and to an authorized representative of the school board, and to the director of the department of social services if applicable, within forty-eight hours of the commencement of the strip search."; and

Further amending the title and enacting clause accordingly.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 145, Section 452.400, Line 4, by inserting after all of said line the following:

"452.402. 1. The court may grant reasonable visitation rights to the grandparents of the child and issue any necessary orders to enforce the decree. The court may grant grandparent visitation when:

(1) The parents of the child have filed for a dissolution of their marriage. A grandparent shall have the right to intervene in any dissolution action solely on the issue of visitation rights. Grandparents shall also have the right to file a motion to modify the original decree of dissolution to seek visitation rights when [such rights have] **visitation has** been denied to them; **or**

(2) One parent of the child is deceased and the surviving parent denies reasonable visitation [rights] to a parent of the deceased parent of the child; **or**

(3) The child has resided in the grandparent's home for at least six months within the twenty-four month period immediately preceding the filing of the petition; **and**

(4) A grandparent is unreasonably denied visitation with the child for a period exceeding ninety days. However, if the natural parents are legally married to each other and are living together with the child, a grandparent may not file for visitation pursuant to this subdivision; **or**

(5) The child is adopted by a stepparent, another grandparent or other blood relative].

2. The court shall determine if the visitation by the grandparent would be in the child's best interest or if it would endanger the child's physical health or impair the child's emotional development. Visitation may only be ordered when the court finds such visitation to be in the best interests of the child. However, when the parents of the child are legally married to each other and are living together with the child, it shall be a rebuttable presumption that such parents know what is in the best interest of the child. The court may order reasonable conditions or restrictions on grandparent visitation.

3. If the court finds it to be in the best interests of the child, the court may appoint a guardian ad litem for the child. The guardian ad litem shall be an attorney licensed to practice law in Missouri. The guardian ad litem may, for the purpose of determining the question of grandparent visitation rights, participate in the proceedings as if such guardian ad litem were a party. The court shall enter judgment allowing a reasonable fee to the guardian ad litem.

4. A home study, as described by section 452.390, may be ordered by the court to assist in determining the best interests of the child.

5. The court may, in its discretion, consult with the child regarding the child's wishes in determining the best interest of the child.

6. The right of a grandparent to [seek or] maintain visitation rights pursuant to this section may terminate upon the adoption of the child.

7. The court may award reasonable attorneys fees and expenses to the prevailing party."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, Page 45, Section 210.109, Lines 9-12, by striking all underlined language from said lines and inserting in lieu thereof the following:

“and provided that the reporter shall be informed, at the time of the report, that the reporter’s name and any other personally identifiable information shall be held as confidential and shall not be made public as provided under this section and section 211.319, RSMo”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HS HCS HB 1453, as amended, was taken up by Representative Hanaway.

Representative Hanaway moved that the House refuse to adopt **SS SCS HS HCS HB 1453, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Hanaway resumed the Chair.

SENATE BILLS FOR THIRD READING

HCS SS SS SCS SB 1122, with House Amendment No. 4 and HS, as amended, pending, relating to professional licensing, was again taken up by Representative Behnen.

Representative Myers offered **House Amendment No. 1 to House Amendment No. 4**.

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1122, Page 4, by adding the words **“Farm Credit Services”** after “association” on Line 2 of the amendment.

On motion of Representative Myers, **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Portwood moved that **House Amendment No. 4, as amended**, be adopted.

Which motion was defeated.

Representative Ervin offered **House Amendment No. 5**.

Representative Nieves assumed the Chair.

House Amendment No. 5 was withdrawn.

Representative Parker offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1122, Page 86, Section 337.615, Line 24, by inserting after all of said line the following:

“337.642. No official, employee, board, commission, or agency of the state of Missouri, any county, any municipality, any school district, or any other political subdivision shall discriminate between persons licensed under section 337.600 to 337.689, when promulgating regulations or when requiring or recommending services that legally may be performed by persons licensed under sections 337.600 to 337.689.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Parker, **House Amendment No. 6** was adopted.

Representative Whorton offered **House Amendment No. 7**.

Speaker Pro Tem Jetton resumed the Chair.

Representative Goodman raised a point of order that **House Amendment No. 7** is not germane to the underlying bill.

The Chair ruled the point of order well taken.

Representative Witte offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1122, Page 41, Section 332.081, Line 5, by inserting immediately after said line the following:

“Any licensee of this chapter who is employed by, or contracts with, the health center who has reasonable cause to believe that the health center has violated any provisions of this chapter or of any other law, or has engaged in any activity which endangers the health or safety of the public, shall be required to reports such violations or activities to the board. No person who directs or exercises any authority in a health center shall harass, dismiss, or retaliate against a licensee of this chapter because such licensee has reported any violations of law or any actions endangering public health or safety which the licensee reasonably believes have occurred. Anyone who makes a report pursuant to this section or who testifies in any administrative or judicial proceeding arising from the report shall be immune from civil or criminal liability for making such a report or for testifying except from liability for perjury, unless such a person acted in bad faith or with malicious purpose.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Witte moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Speaker Hanaway resumed the Chair.

On motion of Representative Behnen, **HS HCS SS SS SCS SB 1122, as amended**, was adopted.

On motion of Representative Behnen, **HS HCS SS SS SCS SB 1122, as amended**, was read the third time and passed by the following vote:

AYES: 151

Angst	Baker	Bean	Bearden	Behnen
Bishop	Bivins	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Hubbard	Hunter
Iceet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schoemehl
Seigfreid	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 003

Barnitz	Schneider	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 009

Abel	Avery	Darrough	El-Amin	Hampton
Holand	Hoskins	Kelly 144	Shoemaker	

Speaker Hanaway declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 1548, as amended, relating to state employees' pay, was taken up by Representative Crawford.

Representative Crawford moved that the House refuse to adopt **SCS HB 1548, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SENATE CONCURRENT RESOLUTION

HCS SS SCS SCR 36, relating to underage driving, was taken up by Representative Stefanick.

On motion of Representative Stefanick, **HCS SS SCS SCR 36** was adopted.

THIRD READING OF SENATE BILL

SS SCS SBs 1233, 840 & 1043, relating to motor vehicles, was taken up by Representative Crawford.

Representative Crawford offered **HS SS SCS SBs 1233, 840 & 1043**.

Representative Crawford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 15, Section 67.1800, Lines 2 to 22 of said page, by deleting all of said lines and inserting the following:

"and premium sedans referred to collectively as taxicabs;"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crawford, **House Amendment No. 1** was adopted.

Representative Villa offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 22, Section 137.298, Line 18 of said page, by inserting after the word "**paid.**" and before the word "**For**" the following:

"If the outstanding vehicle-related fees and fines are against a car that is registered in the name of a rental or leasing company and the vehicle is rented or leased to another person at the time the fees or fines are assessed, the rental or leasing company may rebut the presumption by providing the county governing body and county collector a copy of the rental or lease agreement in effect at the time the fees or fines were assessed. A rental or leasing company shall not be charged for these fees or fines under this subsection unless prior written notice of the fees or fines have been given to that rental or leasing company by ordinary mail at the address appearing on the registration and the rental or leasing company has failed to provide the rental or lease agreement copy within fifteen days of receipt of such notice."; and

Further amend said bill, Page 57, Section 301.025, Line 17 of said page, by inserting after the word "**registration.**" and before the word "**For**" the following:

"If the vehicle-related fees and fines are assessed against a car that is registered in the name of a rental or leasing company and the vehicle is rented or leased to another person at the time the fees or fines are assessed, the rental or leasing company may rebut the presumption by providing the city not within a county or any home rule city with more than four hundred thousand inhabitants and located in more than one county with a copy of the rental or lease agreement in effect at the time the fees or fines were assessed. A rental or leasing company shall not be charged for fees or fines under this subsection, nor shall the registration of a vehicle be suspended, unless prior written notice of the fees or fines has been given to that rental or leasing company by ordinary mail at the address appearing on the registration and the rental or leasing company has failed to provide the rental or lease agreement copy within fifteen days of receipt of such notice. Any notification to a rental or leasing company that is returned to the city not within a county or any home rule city with more than four hundred thousand inhabitants and located in more than one county by the post office shall not result in the notification to the director of revenue for suspension of a motor vehicle registration."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Villa, **House Amendment No. 2** was adopted.

Representative Engler offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 30, Section 226.060, Line 14, by inserting immediately after said line the following:

"226.092. The state highways and transportation commission is authorized, when considered by it to be in the public interest, to provide [as part compensation to the employee involved,] liability insurance covering the operation of [state-owned vehicles involved in the performance of operations of the] **all motor vehicles and equipment, including airplanes and boats, owned, leased, rented, or operated pursuant to commission authorization and used in the performance of official commission or department business.** The commission is authorized to provide such insurance coverage for [its employees] **all authorized operators, as determined by the commission,** and the commission's liability by a plan of self-insurance or by a plan partially self-insured and partially insured by a contract of insurance with an insurance **with an insurance company or by a plan fully insured by a contract of insurance** company as the commission deems to be in the public interest. If the commission provides for a plan of self-insurance or partial self-insurance, it shall annually determine the amount of contribution to the plan required to pay all accrued and anticipated claims and the cost of administering the plan and shall include such amount in its budget request for contribution to the [highways and transportation commission automobile liability insurance] **commission's self-**

insurance plan. The commission may contract for the services of such actuaries, consultants, and claims administrators as it deems necessary for the effective administration of a [self-insured automobile liability] **self-insurance** plan and is authorized to contract for excess insurance coverage with an insurance company authorized to write such coverage in this state. The immunity in tort actions of the state and the [state highways and transportation commission] shall not be in any way affected by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 3** was adopted.

Representative Schlottach offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 184, Section 301.3155, Line 13, by deleting the words "**Go Red For Women**" and inserting in lieu thereof the words:

"Red Dress Icon"; and

Further amend said bill, Page 185, Section 301.3155, Line 6, by deleting the words "**Go Red For Women**" and inserting in lieu thereof the words:

"Red Dress Icon"; and

Further amend said bill, Page 185, Section 301.3155, Lines 7 through 9, by deleting all of said lines and inserting the following:

"the words "Winning Women" shall replace the words "SHOW-ME STATE". Such license plates shall be made with fully"; and

Further amend said bill, Page 185, Section 301.3155, Line 17, by deleting the words "**Go Red For Women**" and inserting in lieu thereof the words "**Red Dress Icon**"; and

Further amend said bill, Page 185, Section 301.3155, Line 20, by deleting the words "**Go Red For Women**" and inserting in lieu thereof the words "**Red Dress Icon**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schlottach, **House Amendment No. 4** was adopted.

Representative Schaaf offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 304, Section 307.100, Line 18 of said page, by inserting after all of said line the following:

"307.178. 1. As used in this section, the term "passenger car" means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, motor tricycles and trucks with a licensed gross weight of twelve thousand pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, RSMo, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements; except that, a child less than four years of age shall be protected as required in section 210.104, RSMo. No person shall be stopped, inspected, or detained [solely to determine compliance with this subsection] **for a violation of this section unless the violation is clearly visible to the officer without stopping the vehicle.** The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law **or for a search of the driver, passenger, or vehicle.**

3. Each driver of a motor vehicle transporting a child four years of age or more, but less than sixteen years of age, shall secure the child in a properly adjusted and fastened safety belt.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Each driver who violates the provisions of subsection 2 or 3 of this section is guilty of an infraction for which a fine not to exceed [ten] **twenty-five** dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, RSMo, for a violation of this section.

6. The department of public safety shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The department of public safety shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the driver and passengers are not in violation of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

SS SCS SBs 1233, 840 & 1043, with House Amendment No. 5 and HS, as amended, pending, was laid over.

Representative Cooper (120) assumed the Chair.

MOTION

Representative Crowell moved that Rule 23 be suspended to allow the members of the House Conference Committees on **HS HCS SCS#2 SB 762, as amended,** and **SS SCS HS HCS HB 1453** to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 123

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Brooks	Brown	Bruns	Byrd	Campbell
Carnahan	Cooper 120	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Engler	Ervin	Fares
George	Goodman	Graham	Guest	Haywood
Hilgemann	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Lager	Lawson	Lembke	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Townley	Viebrock
Villa	Wagner	Walker	Wallace	Walsh
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Wood	Wright	Yates
Young	Zweifel	Madam Speaker		

NOES: 030

Bland	Bringer	Burnett	Daus	Dougherty
Green	Harris 110	Harris 23	Henke	Hoskins
Hubbard	Johnson 61	Johnson 90	Kuessner	LeVota
Liese	Meadows	Muckler	Sager	Selby
Shoemyer	Skaggs	Spreng	Thompson	Vogt
Walton	Ward	Whorton	Witte	Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 010

Abel	Avery	Boykins	Cooper 155	Darrough
El-Amin	Fraser	Hampton	Shoemaker	Threlkeld

THIRD READING OF SENATE BILL

SS SCS SBs 1233, 840 & 1043, with House Amendment No. 5 and HS, as amended, pending, relating to motor vehicles, was again taken up by Representative Crawford.

Representative Crawford offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 3, Section 307.178, Line 17, by deleting the word “**twenty-five**” and inserting the word “**fifteen**”.

Representative Purgason offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

House Substitute Amendment No. 1 for House Amendment No. 5 was withdrawn.

Speaker Hanaway resumed the Chair.

SS SCS SBs 1233, 840 & 1043, with House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 and HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 841**, entitled:

An act to amend chapter 306, RSMo, by adding thereto one new section relating to containers on watercraft, with a penalty provision.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 841, Page 1, Section A, Line 2, by inserting after all of said line the following:

"306.114. 1. No person convicted of or pleading guilty to a violation of section 306.111 or 306.112 shall be granted a suspended imposition of sentence, unless such person is placed on probation for a minimum of two years and a record of the conviction or plea of guilty is entered into the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol.

2. Chemical tests of a person's blood, breath, or saliva to be considered valid under the provisions of sections 306.111 to 306.119 shall be performed according to methods and devices approved by the department of health and senior services by licensed medical personnel or by a person possessing a valid permit issued by the department of health and senior services for this purpose. **In addition, any state, county, or municipal law enforcement officer who is certified pursuant to chapter 590, RSMo, may, prior to arrest, administer a portable chemical test to any person suspected of operating any vessel in violation of section 306.111 or 306.112. A portable chemical test shall be admissible as evidence of probable cause to arrest and as exculpatory evidence, but shall not be admissible as evidence of blood alcohol content. The provisions of section 306.116 shall not apply to a test administered prior to arrest pursuant to this section.**

3. The department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to conduct tests required by sections 306.111 to 306.119, and shall establish standards as to the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination, suspension or revocation by the department of health and senior services.

4. A licensed physician, registered nurse, or trained medical technician, acting at the request and direction of a law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless the medical personnel, in the exercise of good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test or a saliva specimen. In withdrawing blood for the purpose of determining the alcohol content in the blood, only a previously unused and sterile needle and sterile vessel shall be used and the withdrawal shall otherwise be in strict accord with accepted medical practices. A nonalcoholic antiseptic shall be used for cleansing the skin prior to a venapuncture. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him.

5. No person who administers any test pursuant to the provisions of sections 306.111 to 306.119 upon the request of a law enforcement officer, no hospital in or with which such person is employed or is otherwise associated or in which such test is administered, and no other person, firm, or corporation by whom or with which such person is employed or is in any way associated, shall be civilly liable for damages to the person tested, except for negligence in administering of the test or for willful and wanton acts or omissions.

6. Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of refusing to take a test as provided in sections 306.111 to 306.119 shall be deemed not to have withdrawn the consent provided by section 306.116 and the test or tests may be administered."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 841, Page 1, Section 306.325, Line 13, by deleting from said line the word "other" and inserting in lieu thereof the word "**similar**"; and

Further amend same page, same section, Line 17, by deleting the words "such container" and inserting in lieu thereof the words "**a cooler, icebox, or similar nonglass container**".

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 1182, as amended**, and grants the House a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HCS HB 1182, as amended**: Senators Klindt, Cauthorn, Scott, Bray and Mathewson.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HCS HB 1453, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Shields, Champion, Steelman, Dougherty and Wheeler.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 884**, and has taken up and passed **CCS HCS SB 884**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1365**, and has taken up and passed **HCS SCS SB 1365**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 1394, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1548, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Cauthorn, Caskey, Dougherty, Klindt and Vogel.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HB 1548: Representatives Deeken, Crawford, Byrd, Seigfreid and Walsh

SS SCS HS HCS HB 1453: Representatives Hanaway, Stevenson, Wright, Bishop and Riback Wilson (25)

SS SCS HCS HB 1182: Representatives Munzlinger, Guest, Hobbs, Shoemyer and Henke

COMMITTEE REPORTS

Committee on Corrections and State Institutions, Chairman Kelly (144) reporting:

Madam Speaker: Your Committee on Corrections and State Institutions, to which was referred **SCR 35**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 35

Relating to the renaming of a building at the Southeast Missouri Mental Health Center.

WHEREAS, the Southeast Missouri Mental Health Center is located near Farmington, Missouri; and

WHEREAS, the Center Building of the Southeast Missouri Mental Health Center has a bed capacity of one hundred eighty-six beds, plus forty beds in five adjacent group homes; and

WHEREAS, Southeast Missouri Mental Health Center maintains an Acute and Intermediate Care Unit and a Forensic Services Unit to provide a client environment that includes interdisciplinary treatment in the areas of psychiatry,

psychiatric nursing, patient and family education, work therapy, a group home program, an interactive computer system, a fitness center and other services; and

WHEREAS, Danny Staples was a member of the House of Representatives for six years and a state Senator for twenty years representing the citizens of his district; and

WHEREAS, former Senator Danny Staples was a leader and instrumental in furthering the development of the Southeast Missouri Mental Health Center which provides treatment and care in the state of Missouri; and

WHEREAS, because of Senator Staples' efforts, the Southeast Missouri Mental Health Center is the modern treatment center that it is today; and

WHEREAS, Senator Staples deserves permanent recognition of his work on behalf of mental health treatment and care in the state of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate that the Center Building at the Southeast Missouri Mental Health Center at Farmington in St. Francois County shall hereinafter be known as the "Danny Staples Building"; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution, and if approved, notify the Director of the Missouri Department of Mental Health.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Madam Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 1096**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Rules, Chairman Crowell reporting:

Madam Speaker: Your Committee on Rules, to which was referred **HR 2913**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 2913

WHEREAS, Big Brothers Big Sisters is the oldest and largest youth mentoring organization in the United States; and

WHEREAS, the first official Big Brothers organization was founded in 1904 in New York City by Ernest Coulter, a clerk of the Juvenile Court; and

WHEREAS, Coulter appealed to local civic and business leaders to take on the role of "Big Brother" to the thousands of suffering children who repeatedly came through the court system, and as a result, forty men stepped forward answering the request of Mr. Coulter; and

WHEREAS, meanwhile across town, a group of women also began a similar program befriending girls who came before the children's court, thus creating the movement now known as Big Brothers Big Sisters of America; and

WHEREAS, Big Brothers Big Sisters matches caring adults with children in one-to-one relationships with friendship as its cornerstone; and

WHEREAS, the organization works closely with parents to match every child with the appropriate Big Brother or Big Sister; and

WHEREAS, youth who participate in this organization are 52% less likely to skip a day of school and 46% less likely to start using drugs than peers who are not in the program; and

WHEREAS, youth involved in Big Brothers Big Sisters show improved school performance and attendance, better grades and greater self confidence; and

WHEREAS, today Big Brothers Big Sisters serves more than 200,000 youths in 5,000 communities in all fifty states; and

WHEREAS, in 2004, the Big Brothers Big Sisters organization is commemorating their 100th anniversary:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby acknowledge the tremendous efforts and success of the Big Brothers Big Sisters Organization and declare September 15, 2004 as "Big Brothers Big Sisters Day" in Missouri.

Madam Speaker: Your Committee on Rules, to which was referred **SCR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SENATE CONCURRENT RESOLUTION NO. 51

Relating to recognition of the Ellis Fischel Cancer Center.

WHEREAS, on January 11, 1937, Governor Lloyd C. Stark of Missouri in his inaugural address stressed the desirability and importance of a cancer hospital, which should be available to "the humblest citizen"; and

WHEREAS, Senator Michael Kinney of St. Louis introduced a cancer hospital bill to the 59th General Assembly, a measure which was subsequently passed and signed by Governor Stark on May 28, 1937; and

WHEREAS, the bill provided for the erection and operation of the first state cancer hospital in the country and provision for the establishment of diagnostic clinics, and for the Governor to appoint a State Cancer Commission to supervise the maintenance and operation of the state's cancer program and to appoint a hospital administrator; and

WHEREAS, the cornerstone for this historic state cancer hospital was laid December 9, 1938, and the hospital opened in 1940 as the Ellis Fischel State Cancer Hospital in honor of Dr. Ellis Fischel, a St. Louis surgeon who was a staunch advocate and chairman of the Missouri State Cancer Commission who suffered an early and unfortunate death before the hospital was completed; and

WHEREAS, the Ellis Fischel State Cancer Hospital has a long and historical record of compassionate cancer treatment for the citizenry of Missouri and beyond, and of cancer outreach education and prevention activities that have engaged virtually every county in the State of Missouri; and

WHEREAS, the Ellis Fischel State Cancer Hospital, which has been owned and operated by the State of Missouri under the authority of the Missouri State Cancer Commission for fifty years, was transferred by Governor John Ashcroft from management by the Missouri Department of Health and Senior Services to that of the Curators of the University of Missouri, a sovereign entity of the State of Missouri, on November 1, 1990; and

WHEREAS, this transfer of management and the merger of the highest quality cancer research, education, and treatment programs between the staffs of the Ellis Fischel State Cancer Hospital and the Medical School of the University of Missouri-Columbia, which resulted in renaming the program the Ellis Fischel Cancer Center, has resulted in a State Cancer Hospital that provides research in the causes, prevention, and treatment of cancer of the very highest quality care for Missourians:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, the House of Representatives concurring therein, unanimously join in extending our recognition of the history and service of the Ellis Fischel Cancer Center as the designated cancer institute of the State of Missouri; and

BE IT FURTHER RESOLVED that this resolution be sent to the governor for his approval or rejection pursuant to the Missouri Constitution.

Special Committee on General Laws, Chairman Wright reporting:

Madam Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 1220**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HS HCS HBs 1268 & 1211**, entitled:

An act to repeal sections 285.300, 288.030, 288.032, 288.034, 288.036, 288.038, 288.040, 288.050, 288.060, 288.090, 288.100, 288.110, 288.120, 288.121, 288.122, 288.128, 288.290, 288.310, 288.330, 288.380, and 288.500, RSMo, and to enact in lieu thereof twenty-eight new sections relating to employees, with penalty provisions and an emergency clause.

With Senate Amendment No. 1 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Page 105, Section 288.330, Line 9, by striking the word “he” and insert in lieu thereof the following:

“The”.

Senate Amendment No. 3

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1268 & 1211, Page 131, Section B, Lines 22-23, by striking all of said lines and insert in lieu thereof the following:

“meaning of the constitution, and sections 288.128, 288.310 and 288.330 of this act shall be in full force and effect upon its passage and approval. The remaining provisions of this act shall be in full force and effect January 1, 2005.”; and

Further amend the title by adding “with an effective date for certain sections.”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SCR 48**, entitled:

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 48

Relating to the establishment of a Hepatitis C Task Force

WHEREAS, hepatitis C is a disease of the liver caused by the hepatitis C virus which damages liver cells and causes the liver to become swollen and tender, however, hepatitis has many other causes, including some medications, long-term alcohol abuse, and exposure to industrial chemicals; and

WHEREAS, although there is no vaccine to prevent infection with the hepatitis C virus (HCV), research is underway to develop one, but it is difficult to create an effective vaccine because new strains of the original virus can develop that are not affected by a vaccine against the original strain; and

WHEREAS, since all donated blood is screened for hepatitis C, many people are unaware they have hepatitis C until they try to donate blood and are notified by a blood donation center; and

WHEREAS, chronic hepatitis may be treated with medications that fight viral infections, however, the standard treatment of interferon and ribavirin is not an option for every person and only 30%-40% of those who receive antivirals are cured of the infection; and

WHEREAS, the impact of the disease on certain populations, such as intravenous drug users, incarcerated individuals, alcoholics, racial minority groups, gay and lesbian individuals, and HIV/AIDS infected individuals, is still unknown in Missouri:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish a Hepatitis C Task Force to examine the impact of the hepatitis C virus (HCV) on intravenous drug users, incarcerated individuals, alcoholics, racial minority groups, gay and lesbian individuals, and HIV/AIDS infected individuals in Missouri; and

BE IT FURTHER RESOLVED that the Task Force shall be comprised of the following nine persons appointed by the Governor with the advice and consent of the Senate:

- (1) Two persons from the Department of Mental Health;
- (2) Two persons from the Department of Health and Senior Services;
- (3) One person from the Department of Corrections;
- (4) Two persons from community organizations providing services to persons with HCV; and
- (5) Two persons living with HCV; and

BE IT FURTHER RESOLVED that two members of the Senate appointed by the President Pro Tem of the Senate and two members of the House of Representatives appointed by the Speaker of the House of Representatives and shall serve in an advisory capacity to the Task Force; and

BE IT FURTHER RESOLVED that all members shall serve without compensation; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide funding, administrative support, and staff for the effective operation of the Task Force; and

BE IT FURTHER RESOLVED that the Task Force shall conduct research and evaluate key legislative, programmatic, and socioeconomic issues that are related to the impact of HCV on the aforementioned populations and make recommendations on ways to improve outreach, prevention, and intervention; and

BE IT FURTHER RESOLVED that the Task Force shall complete its work and submit a report to the General Assembly within one year of its formation, with the advisory House and Senate members of the Task Force providing guidance to the Task Force in its conduct and scope of its work; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 799** and has taken up and passed **HCS SCS SB 799**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1181** and has taken up and passed **HCS SCS SB 1181**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1247** and has taken up and passed **HCS SCS SB 1247**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1274** and has taken up and passed **HCS SB 1274**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1329, as amended**, and has taken up and passed **HCS SB 1329, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCR 26** and has taken up and passed **HCS SS SCR 26**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 49**.

SENATE CONCURRENT RESOLUTION NO. 49

WHEREAS, the General Assembly favors a sound dollar that reflects economic fundamentals, but not one that is so excessively strong as to be overvalued; and

WHEREAS, the value of the U.S. dollar against other major currencies has risen thirty percent since 1997 and has reached the highest level in sixteen years despite the fact that economic fundamentals have moved in the opposite direction; and

WHEREAS, this rise in the value of the dollar is imposing the equivalent of a thirty percent added tariff on U.S. exports and permits imports to be sold at artificially low prices in the United States—with the effect of severely hampering the exports of American manufactured goods, artificially increasing imports above what they otherwise would be, and distorting the earnings of U.S. affiliates overseas; and

WHEREAS, since August 2000, U.S. manufactured goods exports fell one hundred forty billion dollars, which accounted for nearly forty percent of the decline in U.S. manufacturing production and employment and for the loss of more than five hundred thousand factory jobs; and

WHEREAS, a broad range of U.S. industries have seen a sharp decline in their ability to compete against imports since the dollar began its climb in 1997, with commensurate additional losses of American jobs; and

WHEREAS, both small and large companies are being affected, and after rising steadily throughout the 1990s, the proportion of small- and medium-sized companies exporting at least twenty-five percent of their production has now declined to the lowest level since the National Association of Manufacturers began surveying; and

WHEREAS, the trade and job losses related to the excessive strength of the dollar are decreasing support for free trade policies and leading to increased pressures for protectionism; and

WHEREAS, the value of the dollar has failed to move in the direction of an equilibrium that would end trade distortions, principally because of market imperfections such as a belief that governments will intervene to keep currency relationships at their present levels:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, Second Regular Session, the House of Representatives concurring therein, urge the President of the United States of America and Congress to consider actions that can be taken to enable the dollar and other major currencies to move toward their equilibrium rates by correcting market imperfections, countering foreign country currency manipulations, and seeking cooperation among major countries in taking coordinated actions as appropriate; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1114** and has taken up and passed **HCS SB 1114**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 869**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1449**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1288**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1288, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1288, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1288;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1288, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. John Griesheimer
/s/ Sen. Sarah Steelman
/s/ Sen. Dan Clemens
/s/ Sen. James Mathewson
/s/ Sen. Steve Stoll

FOR THE HOUSE:

/s/ Rep. Kevin Threlkeld
/s/ Rep. Jim Guest
/s/ Rep. Neal St. Onge
/s/ Rep. Jim Whorton
/s/ Rep. Wayne Henke

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE BILL NO. 1487**

The Conference Committee appointed on House Substitute for House Bill No. 1487, with Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Substitute for House Bill No. 1487, as amended;
2. That the House recede from its position on House Substitute for House Bill No. 1487;
3. That the attached Conference Committee Substitute for House Substitute for House Bill No. 1487, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Delbert Scott
/s/ Sen. Matt Bartle
/s/ Sen. Sarah Steelman
/s/ Sen. Joan Bray
/s/ Sen. Rita Heard Days

FOR THE HOUSE:

/s/ Rep. Tom Self
/s/ Rep. Jack Goodman
/s/ Rep. Todd Smith
/s/ Rep. Cathy Jolly
/s/ Rep. Rachel Bringer

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 884**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 884, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 884;
2. That the Senate recede from its position on Senate Bill No. 884;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 884, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. David Klindt
/s/ Sen. Matt Bartle
/s/ Sen. Michael Gibbons
/s/ Sen. Ken Jacob
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Richard Byrd
/s/ Rep. Brad Lager
/s/ Rep. Brian Yates
/s/ Rep. Philip Willoughby
/s/ Rep. Michael Vogt

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 10:00 a.m., Thursday, May 13, 2004.

AFFIDAVITS

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

Subscribed and sworn to before me this 12th day of May in the year 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

Subscribed and sworn to before me this 12th day of May in the year 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

State of Missouri)
County of Cole) ss.

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Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tom Demspey, District 18, hereby state and affirm that my votes as recorded on Pages 1716-1717, 1717-1718, 1718-1719, and 1719-1720 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Tom Demspey
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Chuck Graham, District 24, hereby state and affirm that my votes as recorded on Pages 1695 and 1697 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Chuck Graham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Guest, District 5, hereby state and affirm that my vote as recorded on Page 1723 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Jim Guest
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my votes as recorded on Pages 1697 and 1722 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Larry Morris, District 138, hereby state and affirm that my vote as recorded on Pages 1722-1723 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Larry Morris
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rex Rector, District 124, hereby state and affirm that my vote as recorded on Page 1709 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

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IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Rex Rector
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Scott T. Rupp, District 13, hereby state and affirm that my vote as recorded on Page 1699 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Scott T. Rupp
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Bryan P. Stevenson, District 128, hereby state and affirm that my vote as recorded on Page 1721 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Bryan P. Stevenson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Gina Walsh, District 69, hereby state and affirm that my vote as recorded on Page 1707 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant

to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Gina Walsh
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jay Wasson, District 141, hereby state and affirm that my votes as recorded on Pages 1709 and 1710 of the House Journal for Tuesday, May 11, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2004.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Thursday, May 13, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. Other bills as assigned or referred for fiscal review.

BUDGET

Friday, May 14, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. Other bills as assigned or referred for fiscal review.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Thursday, May 13, 2004, 9:00 a.m. Senate Committee Room 1.

Discussion of possible tours.

HOUSE CALENDAR

SIXTY-NINTH DAY, THURSDAY, MAY 13, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)
- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)
- 20 HB 1678 - St. Onge (88)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTION FOR SECOND READING

SCS SCR 48

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCS SCR 35, (5-12-04) - Kelly (144)
- 2 SCR 51, (5-12-04) - Goodman (132)

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 37, (4-29-04, Pages 1289-1290) - Engler (106)
- 2 SCR 34, (2-16-04, Page 331) - Crawford (117)
- 3 HCS SCR 32, (5-07-04, Pages 1629-1630) - Fares (91)
- 4 SS SCR 47, HCA 1, (5-07-04, Pages 1631-1632) - Pearce (121)
- 5 SCR 30, (5-11-04, Pages 1731-1732) - Yates (56)

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 SJR 29 - Engler (106)
- 2 SCS SJR 44 - Crawford (117)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 772 - Daus (67)
- 2 SB 894 - Dusenberg (54)
- 3 SCS SB 962 - Lager (4)
- 4 SCS SB 974 - Rupp (13)
- 5 SCS SB 1188, E.C. - Luetkemeyer (115)
- 6 SCS SB 1212 - Johnson (47)
- 7 SCS SB 1215 - Dixon (140)
- 8 SB 781 - Byrd (94)
- 9 SB 883 - Lager (4)
- 10 SCS SB 1044 - Pearce (121)
- 11 HCS SCS SB 771 - Daus (67)
- 12 SCS SB 1075 - Jones (63)
- 13 SB 1296 - Dougherty (53)
- 14 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 SCS SB 1040, HCA 1, E.C. - Townley (112)
- 3 HCS SCS SBs 1144, 919 & 874, E.C. - Schlottach (111)
- 4 SS SS SCS SB 715 - Johnson (47)
- 5 HCS SCS SB 1038 - Luetkemeyer (115)
- 6 SB 966 - Smith (118)
- 7 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 8 SCS SB 1062 - Johnson (47)

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- 9 SCS SB 1155 - Dempsey (18)
- 10 SCS SB 1045 - Haywood (71)
- 11 SS SCS SBs 1233, 840 & 1043, HA 1 to HA 5, HA 5 and HS, as amended, pending - Crawford (117)
- 12 HCS SB 1211 - Byrd (94)
- 13 SCS SB 1265 - Byrd (94)
- 14 HCS SB 1391 - Black (161)
- 15 SB 783, E.C. - Smith (118)
- 16 SCS SB 987 - Johnson (47)
- 17 SCS SB 1196 - Lager (4)
- 18 SCS SB 700, (Budget 5-06-04) - Angst (146)
- 19 SCS SB 827 - Byrd (94)
- 20 SB 1007 - Byrd (94)
- 21 HCS SS SCS SB 1034 - Marsh (136)
- 22 SB 1229 - Mayer (159)
- 23 SCS SB 1240 - Schlottach (111)
- 24 SCS SB 1262 - Engler (106)
- 25 SB 1344 - Dempsey (18)
- 26 HCS SCS SB 845 - Jackson (89)
- 27 HCS SB 900 - Schlottach (111)
- 28 HCS SCS SB 1225 - Hubbard (58)
- 29 HCS SB 1323 - Purgason (151)
- 30 HCS SCS SB 710 - Dusenberg (54)
- 31 SB 1153, HCA 1 - Hobbs (21)
- 32 HCS SS SCS SB 1183 - Johnson (47)
- 33 SCS SB 961 - Luetkemeyer (115)
- 34 HCS SCS SB 1116 - Pearce (121)
- 35 HCS SB 807 - Lembke (85)
- 36 HCS SCS SB 972 - McKenna (102)
- 37 HCS SCS SBs 1027 & 896 - Behnen (2)
- 38 SCS SB 810 - Ervin (35)
- 39 HCS SS SB 1023 - Threlkeld (109)
- 40 SB 1064 - Cunningham (145)
- 41 HCS SB 1076 - Byrd (94)
- 42 HCS SCS SB 1171, E.C. - Jackson (89)
- 43 HCS SCS SB 1220 - Sutherland (99)

SENATE BILL FOR THIRD READING - REVISION

SRB 1108 - Crowell (158)

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

SCS SB 1096 - Sutherland (99)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate
recede/grant conference, pending, E.C. - Cunningham (86)
- 2 SCS HCS HB 1177, as amended - Guest (5)
- 3 SS HS HCS HB 1511, as amended - Byrd (94)
- 4 SS HS HCS HB 1207, as amended - Icet (84)
- 5 SCS HS HB 1193 - Self (116)
- 6 SCS HCR 21, (5-07-04, Pages 1633 - 1634) - Ruestman (131)
- 7 HCS HB 1093, SA 1 - Deeken (114)
- 8 HS HCS HB 1433, SA 1 - Wood (62)
- 9 SCS HS HB 1599, as amended - Ervin (35)
- 10 SS#2 SCS HS HCS HB 1268 & 1211, as amended, E.C. - Smith (118)
- 11 SS HS HCS HB 1285 - Engler (106)
- 12 SCS HCS HB 1403 - Moore (20)
- 13 SCS HB 841, as amended - Angst (146)

BILL CARRYING REQUEST MESSAGE

HS HCS SB 1394, as amended, (request House recede/grant conference), E.C. - Cooper (120)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 CCR SS SCS HCS HB 795, 972, 1128 & 1161, as amended, E.C. - Johnson (47)
- 3 CCR#2 SS HS HCS HB 978, as amended - Baker (123)
- 4 CCR#2 SCS HCS HB 959, as amended - Luetkemeyer (115)
- 5 CCR HCS HB 1617, SSA 1 for SA 1 - Hanaway (87)
- 6 HS HCS SCS#2 SB 762, as amended, E.C. - Hanaway (87)
- 7 CCR HCS SCS SB 1106, (exceed differences), E.C. - Schaaf (28)
- 8 CCR SS HCS HB 1055, as amended - Bruns (113)
- 9 CCR HS HCS SS SCS SB 1081, as amended, (exceed differences) - Pratt (55)
- 10 CCR HS HB 1487, SA 1 to SA 1, SA 2 to SA 1, SA 1, as amended, and SA 2
(exceed differences), E.C. - Self (116)
- 11 CCR SS SCS HCS HB 1288, as amended - Threlkeld (109)
- 12 HS SB 932, as amended - Wilson (130)
- 13 CCR HCS SB 884 - Lager (4)
- 14 HCS SCS SB 758 - Nieves (98)
- 15 HS HCS SCS SBs 1020, 889 & 869, as amended, E.C. - Goodman (132)
- 16 HS HCS SS SCS SB 968 and SCS SB 969, as amended, E.C. - Baker (123)
- 17 SS SCS HCS HB 1182, as amended, E.C. - Munzlinger (1)
- 18 SS SCS HS HCS HB 1453, as amended, E.C. - Hanaway (87)
- 19 SCS HB 1548, as amended - Crawford (117)

VETOED HOUSE BILLS

- 1 HCR 5 - Byrd (94)
- 2 CCS SS#2 SS SCS HS HCS HB 1304 - Byrd (94)

HOUSE CONCURRENT RESOLUTION

HCR 41, (5-06-04, Pages 1587 - 1588) - Phillips (32)

HOUSE RESOLUTION

HR 2913, (5-12-04) - Dixon (140)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SIXTY-NINTH DAY, THURSDAY, MAY 13, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

"The law of the Lord is perfect,
refreshing the soul;
the decree of the Lord is trustworthy,
giving wisdom to the simple."
(Psalm 19:8)

Holy Lord, may the work we have done this Spring on legislation for our state participate in the perfection of Your law. Much of our work has been for those in great need. May it bring refreshment to their souls. Much of our work has been on issues of justice. May it give wisdom to the simple.

As we continue our work today and conclude it tomorrow, sustain us in the commitment with which we began in January.

We pray to You, who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matt Ilges, Kyra Goldman, Damien Burke, Elise Maletich, Eva White, Nadja Curt, Trey Brockmeier, Audrey Schickler, Jeff Doggendorf, Stephanie Ann McHenry, Micah Stewart, Taylor Green, Rachel Kohl, Hunter C. Wilson, Justin Hagedorn, Nathan Hagedorn, Jordan Hagedorn and Jesse Carlson.

The Journal of the sixty-eighth day was approved as corrected.

SPECIAL RECOGNITION

Cheryl Broyles was introduced by Representative Richard and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

Patty Waldron was introduced by Representative Jackson and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

June Cox was introduced by Representative Cooper (155) and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

Betty McLauchlin was introduced by Representative Witte and recognized for her distinguished service to the Missouri House of Representatives upon her retirement.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3023 - Representative Witte
House Resolution No. 3024 - Representative Munzlinger
House Resolution No. 3025 - Representative George
House Resolution No. 3026
and
House Resolution No. 3027 - Representative Thompson
House Resolution No. 3028
and
House Resolution No. 3029 - Representative Reinhart
House Resolution No. 3030 - Representative Quinn
House Resolution No. 3031
through
House Resolution No. 3045 - Representative Baker
House Resolution No. 3046 - Representative Whorton
House Resolution No. 3047 - Representative Hanaway

THIRD READING OF SENATE BILLS

SS SCS SBs 1233, 840 & 1043, with House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 and HS, as amended, pending, relating to motor vehicles, was taken up by Representative Crawford.

House Amendment No. 1 to House Amendment No. 5 was withdrawn.

House Amendment No. 5 was withdrawn.

Representative Byrd offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 367, Section 1, Line 13, by inserting after all of said line the following:

"Section 2. For the purposes of sections 302.130, 302.171, 302.177, 302.181, 302.720, and 302.735, RSMo, United States citizens shall be considered "lawfully present" regardless of their physical location at any given time."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 6** was adopted.

Representative Lipke offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 30, Section 226.060, Line 14 of said page, by inserting immediately after said line the following:

“227.120. **1.** The state highways and transportation commission shall have power to purchase, lease, or condemn, lands in the name of the state of Missouri for the following purposes when necessary for the proper and economical construction and maintenance of state highways:

(1) Acquiring the right-of-way for the location, construction, reconstruction, widening, improvement or maintenance of any state highway or any part thereof;

(2) Acquiring bridges or sites therefor and ferries, including the rights and franchises for the maintenance and operation thereof, over navigable streams, at such places as the state highways and transportation commission shall have authority to construct, acquire or contribute to the cost of construction of any bridge;

(3) Acquiring the right-of-way for the location, construction, reconstruction, widening, improvement or maintenance of any highway ordered built by the bureau of public roads of the Department of Agriculture of the United States government;

(4) Obtaining road building or road maintenance materials or plants for the manufacture or production of such materials and acquiring the right-of-way thereto; also acquiring the right-of-way to such plants as are privately owned when necessary for the proper and economical construction of the state highway system;

(5) Changing gradients in any state highway;

(6) Establishing detours in connection with the location, construction, reconstruction, widening, improvement or maintenance of any state highway or any part thereof;

(7) Changing the channels of any stream and providing for drainage ditches when necessary for the proper construction or maintenance of any state highway;

(8) Eliminating grade crossings;

(9) Acquiring water supply and water power sites and necessary lands for use in connection therewith, including rights-of-way to any such sites;

(10) Acquiring sites for garages and division offices and for storing materials, machinery and supplies;

(11) Acquiring lands for sight distances along any state highway or any portion thereof whenever necessary, and also acquiring lands within wyes formed by junctions of state highways, or junctions of state highways and other public highways;

(12) Acquiring lands or interests therein for the purpose of depositing thereon excess excavated, or other materials produced in the construction, reconstruction, widening, improvement or maintenance of any state highway;

(13) Acquiring lands for any other purpose necessary for the proper and economical construction of the state highway system for which the commission may have authority granted by law. If condemnation becomes necessary, the commission shall have the power to proceed to condemn such lands in the name of the state of Missouri, in accordance with the provisions of chapter 523, RSMo, insofar as the same is applicable to the said state highways and transportation commission, and the court or jury shall take into consideration the benefits to be derived by the owner, as well as the damage sustained thereby. The state highways and transportation commission also shall have the same authority to enter upon private lands to survey and determine the most advantageous route of any state highway as granted, under section 388.210, RSMo, to railroad corporations.

2. In any case in which the commission exercises eminent domain involving a taking of real estate, the court, commissioners, and jury shall consider the restriction of or loss of access to any adjacent highway as an element in assessing the damages. As used in this subsection, "restriction of or loss of access" includes, but is not limited to, the prohibition of making right or left turns into or out of the real estate involved, provided that such access was present before the proposed improvement or taking.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 7** was adopted.

Representative Schlottach offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 82, Section 301.134, Line 17 of said page, by inserting after all of said line the following:

"301.141. **1. Fraudulent procurement or use of disabled-person license plates or windshield placards shall be a class [C] B misdemeanor. [It is a class C misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice.]**

2. Any physician or other health care practitioner authorized to issue a physician's statement or certificate to enable persons to obtain disabled license plates or windshield hanging placards pursuant to section 301.142, who issues, signs, or furnishes such statement or certificate to any person who does not meet one or more of the conditions set forth in subsection 1 of section 301.142, if there is no basis for the diagnosis given, or who issues, signs, or furnishes such statement for a condition, the diagnosis of which is outside the scope of such health care provider's license, is guilty of a class B misdemeanor.

301.142. 1. As used in [this section the term] **sections 301.141 to 301.143, the following terms mean:**

(1) **"Department", the department of revenue;**
 (2) **"Director", the director of the department of revenue;**
 (3) **"Other authorized health care practitioner", includes only chiropractors licensed pursuant to chapter 331, RSMo, podiatrists licensed pursuant to chapter 330, RSMo, and optometrists licensed pursuant to chapter 336, RSMo;**

(4) **"Physically disabled" [means], a natural person who is [a] blind [person], as defined in section 8.700, RSMo, or a natural person with medical disabilities which [limit or impair the] prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:**

[(1)] (a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling, arthritic, neurological, [or] orthopedic condition, or other severe and disabling condition; or

[(2)] (b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

[(3)] (c) Is restricted by [lung] a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

[(4)] (d) Uses portable oxygen; or

[(5)] (e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

[(6) Is severely limited in the applicant's ability to walk due to an arthritic, neurological, or orthopedic condition.]

(f) A person's age, in and of itself, shall not be a factor in determining whether such person is "physically disabled" or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334, RSMo;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

[2.](7) "Temporarily disabled person" [means], a [physically] disabled person as defined in this section whose disability or incapacity [can be] is expected to last [for not] no more than one hundred eighty days.

[3.] 2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

(1) Be on a form prescribed by the director of revenue;

(2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;

(3) Include the physician's or other authorized health care practitioner's license number; and

(4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement, that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to **primarily** transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, **a current physician's statement which has been issued within ninety days proceeding the date the application is made and [by] proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles** shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "disabled" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. [Handicapped parking places may only be used when a physically disabled occupant is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected by a properly marked vehicle which is parked for the sole use of the physically disabled person. No vehicle shall park in the access aisle. Such parking violation shall be an infraction. The use of a vehicle displaying a disabled license plate or windshield placard to park in a parking space designated for the disabled by a person not transporting the individual for whom the license or placard was issued shall be an infraction. Upon conviction thereof, violators shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars.

4.] 8. **The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.**

9. No additional fee shall be paid to the director [of revenue] for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "disabled" as prescribed in [subsection 3 of] this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

[5.] 10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. [to] **The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being**

used to pick up, deliver, or collect a disabled person. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for each removable windshield placard shall be four dollars and the removable windshield placard shall be renewed every two years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard [shall] **may** be issued to an applicant who has not been issued disabled person license plates, **at the appropriate fee.**

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, **and for good cause shown,** one additional temporary windshield placard [shall] **may** be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to [subsection 6 of] this section is supplied to the director of revenue at the time of renewal. [The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when a physically disabled occupant is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected by a properly marked vehicle which is parked for the sole use of the physically disabled person.]

6.] 13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician **or other authorized health care practitioner** which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section. [The physician's statement shall be on a form prescribed by the director of revenue which shall include the physician's license number. If it is the professional opinion of the physician who issues the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, this shall be noted on the statement. In such instances, the applicant shall present the physician's statement which states that the applicant's disability is permanent to the director of revenue the first time the applicant applies for license plates or a removable windshield placard. The applicant shall not be required to obtain a new physician's statement each time that the applicant applies for or renews license plates or a removable windshield placard; but, the applicant shall present a physician's statement each time the applicant applies for a temporary windshield placard or renews a temporary windshield placard.]

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every fourth

year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days.

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, RSMo, or the Missouri state board of chiropractic examiners established in section 331.090, RSMo, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, RSMo, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, RSMo, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director [may] **shall**, in cooperation with the boards which shall assist the director, establish a list of all [physicians' names] **Missouri physicians and other authorized health care practitioners** and of any other information necessary to administer this [subsection within the department of revenue if the director determines that such listing is necessary to carry out the provisions of this subsection] **section**.

[7.] **20.** Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit [an affidavit] **a statement** stating this fact, in addition to the physician's statement. The [affidavit] **statement** shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this [affidavit] **statement** with each application for license plates. **No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420, RSMo.**

21. The director of revenue shall retain all physician's statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

[8.] **22.** The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

[9.] **23.** When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of [such person] **the decedent or such other person who may come into or otherwise take possession, of the disabled license plates or disabled windshield placard** shall return [the plates or placards or both] the same to the director of revenue under penalty of law. **Failure to return such plates or placards shall constitute a class B misdemeanor.**

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

[10.] **26.** In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be [two] **four** dollars.

[11. Beginning after September 1, 1998, and prior to August 31, 1999, the director of revenue shall authorize a one-time recertification and review of all permanent disabled person license plates and windshield placards, including physician's license numbers and related information that the director has on file pursuant to subsection 6 of this section to determine if such numbers and information are current and correct. The director shall require the presentation of a new physician's statement and other information deemed necessary by the director to administer the provisions of this section. The recertification and review shall be conducted in a manner as determined by the director.

[12.] **27.** Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.

301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles

which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and shall also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "\$50 to \$300 fine."

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or card on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or card issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility and any curb adjacent to the space shall be clearly and visibly painted blue.

6. Any person who, without authorization, uses a distinguishing license plate or card issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of [an infraction and shall be subject to a fine of not less than fifty dollars nor more than three hundred dollars] **a class B misdemeanor.**

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 1997, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate."; and

Further amend said bill, Page 298, Section 304.190, Line 15 of said page, by inserting after all of said line the following:

"304.601. 1. Designated disabled parking spaces may only be used when a disabled person, who has been issued disabled license plates or windshield hanging placards pursuant to the provisions of section 301.142, RSMo, or by those states with which the director has entered into reciprocity agreements as provided in section 301.142, RSMo, is then, or immediately preceding being parked, was an occupant of the motor vehicle bearing the disabled license plate or windshield hanging placard or in cases where the motor vehicle bearing the disabled license plate or windshield hanging placard is then being used to deliver or collect one or more of the disabled persons for whom the disabled license plate or windshield hanging placard was issued.

2. The driver, or any occupant, of a motor vehicle bearing disabled license plates or a windshield hanging placard which is parked or has been observed to have been parking in a duly designated disabled parking space

shall, upon request from any law enforcement officer or other duly constituted peace officer upon identification as such, produce the disabled registration certificate issued to the disabled person or entity as provided for in section 301.142, RSMo, or such other authorization to show that the driver, or any occupant of the vehicle is lawfully entitled to use a designated disabled parking space. The driver or any occupant of the motor vehicle shall, in addition to the certificate, produce other identification with a photograph of the disabled person for whom the disabled plates or windshield hanging placard was issued.

3. If the driver, or an occupant, of a motor vehicle which is parked or has been observed to have parked in a designated disabled parking space is unable to, or cannot, produce the certificate as provided for in section 301.142, RSMo, or other proper authorization showing that the vehicle is being used, or has been lawfully parking in a disabled parking space, the operator is guilty of a class A misdemeanor. However, no person shall be found guilty of violating this section if the operator produces such a certificate to the court that was valid at the time of the citation for a person who was using the vehicle.

4. The windshield hanging placard shall only be used when the vehicle is parked in a disabled parking space. It shall be unlawful for any person to operate or drive a motor vehicle with a windshield hanging placard hanging from the inside rearview mirror."; and

Further amend said bill, Page 368, Section C, Line 30 of said page, by deleting all of said line and inserting the following:

"67.1808, 301.132, 301.141, 301.142, 301.143, 301.144, 301.190, and 301.444, and the"; and

Further amend said bill, Page 369, Section C, Line 3 of said page, by deleting all of said line and inserting the following:

"304.155, 304.156, 304.157, and 304.601 of section A of this act shall"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schlottach, **House Amendment No. 8** was adopted.

Representative Sutherland offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 361, Section 622.095, Line 21, by inserting after said line the following:

"622.350. In all trials, actions, suits and proceedings arising under the provisions of this chapter or growing out of the exercise of the authority and powers granted in this chapter to the [division] **state highways and transportation commission**, the burden of proof shall be upon the [party adverse to the division] **state highways and transportation commission**. **The state highways and transportation commission shall** [or seeking to set aside any determination, requirement, direction or order of the division, to] show by clear and satisfactory evidence that the determination, requirement, direction or order of the [division] **state highways and transportation commission is reasonable or lawful** [complained of is unreasonable or unlawful] as the case may be."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 9** was adopted.

Representative Stevenson offered **House Amendment No. 10**.

House Amendment No. 10 was withdrawn.

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Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Icet	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Yates	Madam Speaker		

NOES: 073

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrrough	Daus	Davis 122
Donnelly	Dougherty	El-Amin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Whorton
Wildberger	Willoughby	Wilson 25	Wilson 42	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Wright

On motion of Representative Crawford, **HS SS SCS SBs 1233, 840 & 1043, as amended**, was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 005

Campbell	Selby	Spreng	Wilson 25	Yates
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PRESENT: 003

Boykins	Jones	Whorton
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ABSENT WITH LEAVE: 003

Avery	Wagner	Wright
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On motion of Representative Crowell, **HS SS SCS SBs 1233, 840 & 1043, as amended**, was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110

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Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 005

Campbell	Spreng	Walton	Wilson 25	Yates
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PRESENT: 003

Boykins	Jones	Whorton
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ABSENT WITH LEAVE: 003

Avery	Cunningham 86	Wright
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Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	Kingery	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore

Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 007

Boykins	Campbell	El-Amin	Hilgemann	Sager
Walker	Wilson 25			

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 006

Avery	Johnson 61	King	Kratky	Wagner
Wright				

SCS SB 1155, relating to the Missouri Rural Economic Stimulus Act, was taken up by Representative Dempsey.

Representative Dempsey offered **HS SCS SB 1155**.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Page 130, Section 100.710, Line 33, by deleting the word “or” and adding in its place the word “**of**”.

On motion of Representative Dempsey, **House Amendment No. 1** was adopted.

Representative Wildberger offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Page 28, Section 67.1303, Line 23 of said page, by inserting after “**RSMo.**” the following:

“In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wildberger, **House Amendment No. 2** was adopted by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Emery	Engler	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Ruestman	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 011

Byrd	Davis 19	Ervin	Hobbs	Kelly 144
LeVota	Nieves	Roark	Rupp	Sutherland
Young				

PRESENT: 001

Dusenberg

ABSENT WITH LEAVE: 003

Avery	Boykins	Wright
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Representative Johnson (47) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Section 99.1018, Page 111, Line 15, by inserting after all of said line the following:

“Section 1. Notwithstanding any law to the contrary, where a redevelopment project requires the enhancement, modification, relocation, or removal of public utility facilities such enhancement, modification, relocation, or removal of public utility facilities shall be at no cost to the utility company, and, unless otherwise provided in the public utility’s tariffs or agreed by the private developer and the public utility, shall be borne by the private developer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Johnson (90) raised a point of order that **House Amendment No. 3** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Johnson (47) moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Dempsey offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1155, Page 50, Section 67.2500, Line 17, by deleting the word “**know**” and replacing with “**known**”; and

Further amend said bill, Section 67.2520, Page 68, Line 13, by deleting the word “**beam**” and replacing with “**team**”.

On motion of Representative Dempsey, **House Amendment No. 4** was adopted.

Representative Muckler offered **House Amendment No. 5**.

House Amendment No. 5 was withdrawn.

On motion of Representative Dempsey, **HS SCS SB 1155, as amended**, was adopted by the following vote.

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon

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Donnelly	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bland	Boykins	Dougherty	Hunter
King	Wright			

On motion of Representative Dempsey, **HS SCS SB 1155, as amended**, was read the third time and passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Hoskins	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller

Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Boykins	Brown	Dougherty	Holand
Hunter	Kuessner	Wright		

Speaker Hanaway declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HS HCS SB 1394, as amended, relating to tax collection, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that the House refuse to recede from its position on **HS HCS SB 1394, as amended**, and grant the Senate a conference.

Which motion was adopted.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 758**, and has taken up and passed **CCS HCS SCS SB 758**.

Emergency clause adopted.

On motion of Representative Crowell, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3048 - Representative Holand
House Resolution No. 3049 - Representative Muckler
House Resolution No. 3050 - Representative Cooper (155)
House Resolution No. 3051 - Representative Hobbs
House Resolution No. 3052 - Representative LeVota
House Resolution No. 3053 - Representative Cooper (120)
House Resolution No. 3054 - Representatives Wildberger and Lawson
House Resolution No. 3055
through
House Resolution No. 3064 - Representative Viebrock
House Resolution No. 3065 - Representative Crawford
House Resolution No. 3066 - Representatives Deeken and Bruns
House Resolution No. 3067 - Representatives Walker and Jolly
House Resolution No. 3068 - Representative Wildberger
House Resolution No. 3069 - Representative Parker
House Resolution No. 3070 - Representative Pratt
House Resolution No. 3071
and
House Resolution No. 3072 - Representative Skaggs
House Resolution No. 3073
and
House Resolution No. 3074 - Representative Hampton

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 HCS HB 980**, entitled:

An act to amend chapter 640, RSMo, by adding thereto three new sections relating to environmental regulation.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for House Committee Substitute for House Bill No. 980, Page 6, Section 1, Line 25, by striking the word "and" and replacing in lieu thereof the following: "**an**".

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for House Committee Substitute for House Bill No. 980, Page 2, Section 640.015, Line 27 of said page, by striking the comma "," after the word "rule" and inserting in lieu thereof a semicolon ";"; and

Further amend Line 28 of said page, by striking said line.

Senate Amendment No. 4

AMEND Senate Substitute No. 2 for House Committee Substitute for House Bill No. 980, Page 2, Section 640.015, Lines 8-9, by striking the words “probable qualitative and quantitative impact of the proposed rule, including”; and

Further amend same section, same page, Line 10, by inserting after the word “benefits” the words “**of the proposed rule**”; and

Further amend same section, Page 3, Lines 8-11, by striking all of said lines and inserting in lieu thereof the following:

“(13) The identification of at least one, if any, alternative regulatory approaches that will produce comparable human health, public welfare, or environmental outcomes.”.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 946, 1106 & 952**, entitled:

An act to repeal sections 21.795, 50.515, 190.044, 190.050, 190.051, 190.092, 190.094, 190.101, 190.105, 190.108, 190.109, 190.120, 190.131, 190.133, 190.142, 190.143, 190.146, 190.160, 190.165, 190.171, 190.172, 190.175, 190.185, 190.196, 190.246, 190.248, 190.250, 190.525, 190.528, 190.531, 190.534, 190.537, 191.630, 191.631, 226.030, 226.060, 227.120, 227.290, 227.303, 238.207, 238.210, 238.215, 238.216, 238.217, 238.220, 238.227, 238.233, 238.235, 238.236, 238.242, 238.252, 238.257, 301.010, 301.062, 301.129, 301.130, 301.190, 302.230, 304.170, 304.190, 304.351, 304.580, 307.178, 307.366, 321.130, 321.180, 321.554, 321.556, 389.610, 389.612, 390.201, 407.567, 622.350, and 643.315, RSMo, and to enact in lieu thereof eighty-eight new sections relating to transportation, with penalty provisions, an effective date for certain sections, and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 1 to Senate Amendment No. 8, Senate Amendment No. 8, as amended, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16 and Senate Amendment No. 17.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 17, Section 190.092, Line 12, by inserting after the word “circumstances.” the following:

“The person or entity who provides appropriate training to the person using an automated external defibrillator, the person or entity responsible for the site where the automated external defibrillator is located, and the licensed physician who reviews and approves the clinical protocol, shall likewise not be held liable for civil damages resulting from the use of an automated external defibrillator, provided that all other requirements of this section have been met.”.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 63, Section 226.060, Line 4, by inserting after all of said line the following:

“226.527. 1. On and after August 13, 1976, no outdoor advertising shall be erected or maintained beyond six hundred and sixty feet of the right-of-way, located outside of urban areas, visible from the main traveled way of the interstate or primary system and erected with the purpose of its message being read from such traveled way, except such outdoor advertising as is defined in subdivisions (1) and (2) of section 226.520.

2. No compensation shall be paid for the removal of any sign erected in violation of subsection 1 of this section unless otherwise authorized or permitted by sections 226.501 to 226.580. No sign erected prior to August 13, 1976, which would be in violation of this section if it were erected or maintained after August 13, 1976, shall be removed unless such removal is required by the Secretary of Transportation and federal funds required to be contributed to this state under section 131(g) of Title 23, United States Code, to pay compensation for such removal have been appropriated and allocated and are immediately available to this state, and in such event, such sign shall be removed pursuant to section 226.570.

3. In the event any portion of this chapter is found in noncompliance with Title 23, United States Code, section 131, by the Secretary of Transportation or his representative, and any portion of federal-aid highway funds or funds authorized for removal of outdoor advertising are withheld, or declared forfeited by the Secretary of Transportation or his representative, all removal of outdoor advertising by the Missouri state highways and transportation commission pursuant to this chapter shall cease, and shall not be resumed until such funds are restored in full. Such cessation of removal shall not be construed to affect compensation for outdoor advertising removed or in the process of removal pursuant to this chapter.

4. In addition to any applicable regulations set forth in sections 226.500 through 226.600, signs within an area subject to control by a local zoning authority and wherever located within such area shall be subject to reasonable regulations of that local zoning authority relative to size, lighting, spacing, and location; provided, however, that no local zoning authority shall have authority to require any sign within its jurisdiction which was lawfully erected and which is maintained in good repair to be removed without the payment of just compensation. **The requirement by a local zoning authority that a legally erected outdoor advertising structure be removed or altered as a condition or prerequisite for the issuance or continued effectiveness of a permit, license, or other approval for any use, structure, development, or activity other than outdoor advertising, including a request for rezoning, constitutes a compelled removal or alteration, which is prohibited without the payment of just compensation as required by this subsection.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 12, Section 50.515, Line 12 of said page, by inserting after all of said line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved

are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word “comparable” means that:

(a) Such sale was closed at a date relevant to the property valuation; and
 (b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percents of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
 (2) Livestock, twelve percent;
 (3) Farm machinery, twelve percent;
 (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, **one-half of one percent; [and]**

(5) Aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

~~[(5)]~~ (6) Poultry, twelve percent; and

~~[(6)]~~ (7) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;
 (2) For real property in subclass (2), twelve percent; and
 (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank for its service.

15. The provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, shall become effective January 1, 2003, for any taxing jurisdiction which has at least seventy-five percent of the land area of such jurisdiction within a county with a charter form of government with greater than one million inhabitants, and the provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, shall become effective January 1, 2005, for all taxing jurisdictions in this state. Any county in this state may, by an affirmative vote of the governing body of such county, opt into the provisions of this act prior to January 1, 2005."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Pages 63-65, Section 227.120, by striking said section from the bill; and

Further amend said bill, Page 222, Section B, Line 22 of said page, by striking the following:

"ensure"; and

Further amend Lines 23 thru 25 of said page, by striking said lines; and

Further amend Line 32 of said page, by striking "sections 227.120 and" and inserting in lieu thereof the following:

“section”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 68, Section 227.352, Line 12, by inserting after all of said line the following:

“227.353. The portion of U.S. 412 in Dunklin County from the eastern city limits of Kennett, Missouri, to the western city limits of Hayti, Missouri, within Pemiscot County shall be designated the “Governor John M. Dalton Memorial Highway”.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 168, Section 321.554, Line 18 of said page, by striking said line and inserting in lieu thereof the following:

“classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, or any”; and

Further amend said bill, Page 171, Section 321.556, Line 4 of said page, by striking said line and inserting in lieu thereof the following:

“classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, or any”.

Senate Amendment No. 1

to

Senate Amendment No. 8

AMEND Senate Amendment No. 8 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 2, Section 304.031, Line 8, by inserting after all of said line the following:

“7. No person shall be convicted of running a red light or traffic signal if it is shown by competent evidence that the local law enforcement agency was using a TSPS device to generate revenue or otherwise cause the motorist to improperly run the red light or traffic signal”.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 144, Section 302.233, Line 2, by inserting after all of said line the following:

“304.031. 1. As used in this section, “Traffic Signal Preemption System (TSPS)” shall mean a traffic-control system designated for use by emergency vehicles, as defined in section 304.031, to improve traffic movement by temporarily controlling signalized intersections.

2. The owner of a traffic control signal may authorize use of a TSPS by the following persons for the following purposes:

(1) An authorized operator in an authorized emergency vehicle, in order to improve the safety and efficiency of emergency response operations;

(2) An authorized operator in a bus, in order to interrupt the cycle of the traffic control signal in such a way as to keep the green light showing for longer than it otherwise would;

(3) An authorized operator in a traffic signal maintenance vehicle, in order to facilitate traffic signal maintenance activities.

3. A TSPS used by an authorized person in an emergency vehicle shall preempt and override a device operated by any other person.

4. A traffic control signal operating device used as authorized under this section must operate in such a way that the device does not continue to control the signal once the vehicle containing the device has arrived at the intersection, regardless of whether the vehicle remains at the intersection.

5. It shall be unlawful for any person not approved herein to use a TSPS to control traffic.

6. Violation of this section shall be deemed a class B misdemeanor.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 176, Section 389.612, Line 10, by inserting after “vehicle.” the following:

“The owner of a commercial motor vehicle, as defined in section 301.010, shall pay a railroad crossing safety fee of twenty-five cents when such person registers or renews the registration of a commercial motor vehicle.”.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 178, Section 390.201, Line 4, by deleting said section in its entirety; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 157, Section 304.580, Line 19 of said page, by inserting after all of said line the following:

“307.156. Any person, firm, or corporation which owns or operates a business engaged in whole or in part in servicing motor vehicles and installs or purports to install an airbag in a motor vehicle and either: 1) installs an airbag that does not meet all applicable federal safety regulations for an airbag installed in a vehicle of that make, model, and year; or 2) installs an airbag which has previously been installed in another motor vehicle without disclosing in writing to the owner or lessee of the vehicle receiving such airbag installation that a used airbag has been installed in it, shall be guilty of a class D felony.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 143, Section 301.190, Line 2 of said page, by inserting after all of said line the following:

“301.196. 1. Beginning January 1, 2006, except as otherwise provided in this section, the transferor of an interest in a motor vehicle or trailer listed on the face of a Missouri title, excluding salvage titles and junking certificates, shall notify the department of revenue of the transfer within thirty days of the date of transfer. The notice shall be in a form determined by the department by rule and shall contain:

- (1) A description of the motor vehicle or trailer sufficient to identify it;**
- (2) The vehicle identification number of the motor vehicle or trailer;**
- (3) The name and address of the transferee;**
- (4) The date of birth of the transferee, unless the transferee is not a natural person;**

- (5) The date of the transfer or sale;
- (6) The purchase price of the motor vehicle or trailer, if applicable;
- (7) The number of the transferee's drivers license, unless the transferee does not have a drivers license;
- (8) The printed name and signature of the transferee;
- (9) Any other information required by the department by rule.

2. For purposes of giving notice under this section, if the transfer occurs by operation of law, the personal representative, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall be considered the transferor. Repossession by a creditor shall not be considered a transfer of ownership requiring such notice.

3. The requirements of this section shall not apply to transfers when there is no complete change of ownership interest or upon award of ownership of a motor vehicle or trailer made by court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle dealers, or transfers of beneficial ownership of a motor vehicle owned by a trust.

4. Notification under this section is only required for transfers of ownership that would otherwise require registration and an application for certificate of title in this state under section 301.190, and is for informational purposes only and does not constitute an assignment or release of any interest in the vehicle.

5. Retail sales made by licensed dealers including sales of new vehicles shall be reported pursuant to the provisions of section 301.280.

301.197. 1. Beginning January 1, 2006, upon receipt of a notification of transfer described in section 301.196, the department shall make a notation on its records indicating that it has received notification that an interest in the motor vehicle or trailer has been transferred. The notation shall be made whether or not the form submitted to the department contains all the information required by section 301.196, so long as there is sufficient information to identify the motor vehicle or trailer and the name and address of the transferee. Thereafter, until a new title is issued, when the department is asked or is required by law to provide the name of the owner or lienholder of a motor vehicle or trailer as shown on its records, the department shall provide the name of the owner or lienholder recorded on the latest title or lien perfection of record and indicate that department records show a notification of transfer but do not show a title transfer. The department shall also provide the name of the transferee, if otherwise permitted by law, if it is shown on the form submitted by the transferor pursuant to section 301.196.

2. If the department does not receive an application for title from the person named as transferee in a form submitted pursuant to section 301.196 within sixty days of the receipt of the form, the department shall notify the transferee to apply for title. Notification shall be made as soon after the sixtieth day after receipt of the form as is convenient for the department. The provisions of this subsection shall be in addition to the requirements of section 301.190.

3. The department may adopt rules for the implementation of section 301.196 and this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Notwithstanding section 226.200, RSMo, to the contrary the general assembly may appropriate state highways and transportation department funds for the requirements of sections 301.196, 301.198, and 301.280, and this section.

301.198. 1. Beginning January 1, 2006, a person commits the offense of knowingly submitting false information about transfer of a vehicle if the person submits a notice of transfer of an interest in a motor vehicle or trailer as described in section 301.196 to the department of revenue and the person knows that some or all of the information contained in the notice is false. The offense described in this section, knowingly submitting false information about transfer of a vehicle, is a class C misdemeanor.

2. Any person who fails to submit the required notice pursuant to section 301.196 shall be guilty of an infraction. If the failure to submit the required notice was done to assist the transferee to avoid applying for title, paying applicable registration fees or other fraudulent purposes, then the person shall be guilty of a class C misdemeanor.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the department of revenue, on blanks to be prescribed by the department of revenue, giving the following information: Date of the sale of

each motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. The odometer reading is not required when reporting the sale of any motor vehicle that is ten years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred on a manufacturer's statement of origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The sale of all [twenty-day] **thirty-day** temporary permits, without exception, shall be recorded in the appropriate space on the dealer's monthly sales report by recording the complete permit number issued on the motor vehicle or trailer sale listed. The monthly sales report shall be completed in full and signed by an officer, partner, or owner of the dealership, and actually received by the department of revenue on or before the fifteenth day of the month succeeding the month for which the sales are being reported. If no sales occur in any given month, a report shall be submitted for that month indicating no sales. **Any vehicle dealer who fails to file a monthly report or who fails to file a timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty assessed by the director not to exceed three hundred dollars per violation.** Every motor vehicle and boat dealer shall retain copies of the monthly sales report as part of the records to be maintained at the dealership location and shall hold them available for inspection by appropriate law enforcement officials and officials of the department of revenue. **Beginning January 1, 2006, the monthly sales report required by this subsection may be filed electronically. Beginning January 1, 2007, every vehicle dealer selling twenty or more vehicles a month shall file the monthly sales report with the department in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be exempt from filing the notice of transfer required by section 301.196. For any dealer not filing electronically, the notice of transfer required by section 301.196 shall be submitted with the monthly sales report as prescribed by the director.**

2. Every dealer and every person operating a public garage shall keep a correct record of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together with the name and address of the person delivering such motor vehicle or trailer to the dealer or public garage keeper, and the person delivering such motor vehicle or trailer shall record such information in a file kept by the dealer or garage keeper. The record shall be kept for three years and be open for inspection by law enforcement officials and persons, agencies and officials designated by the director of revenue.

3. Every dealer and every person operating a public garage in which a motor vehicle remains unclaimed for a period of fifteen days shall, within five days after the expiration of that period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and address are known to the dealer or his employee or person operating a public garage or his employee is not considered unclaimed. Any dealer or person operating a public garage who fails to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its garaging, parking or storing.

4. The director of revenue shall maintain appropriately indexed cumulative records of unclaimed vehicles reported to the director. Such records shall be kept open to public inspection during reasonable business hours.

5. The alteration or obliteration of the vehicle identification number on any such motor vehicle shall be prima facie evidence of larceny, and the dealer or person operating such public garage shall upon the discovery of such obliteration or alteration immediately notify the highway patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period of forty-eight hours for the purpose of an investigation by the officer so notified.”; and

Further amend said bill, Page 144, Section 302.233, Line 2 of said page, by inserting after all of said line the following:

“304.154. 1. Beginning January 1, 2005, a towing company operating a tow truck pursuant to the authority granted in section 304.155 or 304.157 shall:

(1) Have and occupy a verifiable business address;
(2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles;

(3) Be available twenty-four hours a day, seven days a week. Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request;

(4) Maintain a valid insurance policy issued by an insurer authorized to do business in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount of at least five hundred thousand dollars per incident;

(5) Provide workers' compensation insurance for all employees of the towing company if required by chapter 287, RSMo; and

(6) Maintain current motor vehicle registrations on all tow trucks currently operated within the towing company fleet.

2. Counties may adopt ordinances with respect to towing company standards in addition to the minimum standards contained in this section. A towing company located in a county of the second, third, and fourth classification is exempt from the provisions of this section.

304.155. 1. Any law enforcement officer within the officer's jurisdiction, or an officer of a government agency where that agency's real property is concerned, may authorize a towing company to remove to a place of safety:

(1) Any abandoned property on the right-of-way of:

(a) Any interstate highway or freeway in an urbanized area, left unattended for ten hours, **or after four hours if a law enforcement officer determines that the abandoned property is a serious hazard to other motorists, provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;**

(b) Any interstate highway or freeway outside of an urbanized area, left unattended for forty-eight hours, **or after four hours if a law enforcement officer determines that the abandoned property is a serious hazard to other motorists, provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;**

(c) Any state highway other than an interstate highway or freeway in an urbanized area, left unattended for more than ten hours; or

(d) Any state highway other than an interstate highway or freeway outside of an urbanized area, left unattended for more than forty-eight hours; provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;

(2) Any unattended abandoned property illegally left standing upon any highway or bridge if the abandoned property is left in a position or under such circumstances as to obstruct the normal movement of traffic where there is no reasonable indication that the person in control of the property is arranging for its immediate control or removal;

(3) Any abandoned property which has been abandoned under section 577.080, RSMo;

(4) Any abandoned property which has been reported as stolen or taken without consent of the owner;

(5) Any abandoned property for which the person operating such property is arrested for an alleged offense for which the officer is required to take the person into custody and where such person is unable to arrange for the property's timely removal;

(6) Any abandoned property which due to any other state law or local ordinance is subject to towing because of the owner's outstanding traffic or parking violations;

(7) Any abandoned property left unattended in violation of a state law or local ordinance where signs have been posted giving notice of the law or where the violation causes a safety hazard; or

(8) Any abandoned property illegally left standing on the waters of this state as defined in section 306.010, RSMo, where the abandoned property is obstructing the normal movement of traffic, or where the abandoned property has been unattended for more than ten hours or is floating loose on the water.

2. The state transportation department may immediately remove any abandoned, unattended, wrecked, burned or partially dismantled property, spilled cargo or other personal property from the roadway of any state highway if the abandoned property, cargo or personal property is creating a traffic hazard because of its position in relation to the state highway. In the event the property creating a traffic hazard is a commercial motor vehicle, as defined in section 302.700, RSMo, the department's authority under this subsection shall be limited to authorizing a towing company to remove the commercial motor vehicle to a place of safety, except that the owner of the commercial motor vehicle or the owner's designated representative shall have a reasonable opportunity to contact a towing company of choice. The provisions of this subsection shall not apply to vehicles transporting any material which has been designated as hazardous under Section 5103(a) of Title 49, U.S.C.

3. Any law enforcement agency authorizing a tow pursuant to this section in which the abandoned property is moved from the immediate vicinity shall complete a crime inquiry and inspection report. Any state or federal government agency other than a law enforcement agency authorizing a tow pursuant to this section in which the abandoned property is moved away from the immediate vicinity in which it was abandoned shall report the towing to the state highway patrol or water patrol within two hours of the tow along with a crime inquiry and inspection report as required in this section.

Any local government agency, other than a law enforcement agency, authorizing a tow pursuant to this section where property is towed away from the immediate vicinity shall report the tow to the local law enforcement agency within two hours along with a crime inquiry and inspection report.

4. Neither the law enforcement officer, government agency official nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section or by ordinance of a county or municipality licensing and regulating the sale of abandoned property by the municipality, other than damages occasioned by negligence or by willful or wanton acts or omissions.

5. The owner of abandoned property removed as provided in this section or in section 304.157 shall be responsible for payment of all reasonable charges for towing and storage of such abandoned property as provided in section 304.158.

6. Upon the towing of any abandoned property pursuant to this section or under authority of a law enforcement officer or local government agency pursuant to section 304.157, the law enforcement agency that authorized such towing or was properly notified by another government agency of such towing shall promptly make an inquiry with the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen and shall enter the information pertaining to the towed property into the statewide law enforcement computer system. If the abandoned property is not claimed within ten working days of the towing, **the tower who has online access to the department of revenue's records shall make an inquiry to determine the abandoned property owner and lienholder, if any, of record. In the event that the records of the department of revenue fail to disclose the name of the owner or any lienholder of record, the tower shall comply with the requirements of subsection 3 of section 304.156. If the tower does not have online access,** the law enforcement agency shall submit a crime inquiry and inspection report to the director of revenue. A towing company **that does not have online access to the department's records and that is** in possession of abandoned property after ten working days shall report such fact to the law enforcement agency with which the crime inquiry and inspection report was filed. The crime inquiry and inspection report shall be designed by the director of revenue and shall include the following:

(1) The year, model, make and property identification number of the property and the owner and any lienholders, if known;

(2) A description of any damage to the property noted by the officer authorizing the tow;

(3) The license plate or registration number and the state of issuance, if available;

(4) The storage location of the towed property;

(5) The name, telephone number and address of the towing company;

(6) The date, place and reason for the towing of the abandoned property;

(7) The date of the inquiry of the national crime information center, any statewide Missouri law enforcement computer system and any other similar system which has titling and registration information to determine if the abandoned property had been stolen. This information shall be entered only by the law enforcement agency making the inquiry;

(8) The signature and printed name of the officer authorizing the tow [and the towing operator]; and

(9) **The name of the towing company, the signature and printed name of the towing operator, and an indicator disclosing whether the tower has online access to the department's records;**

(10) Any additional information the director of revenue deems appropriate.

7. One copy of the crime inquiry and inspection report shall remain with the agency which authorized the tow. One copy shall be provided to and retained by the storage facility and one copy shall be retained by the towing facility in an accessible format in the business records for a period of three years from the date of the tow or removal.

8. The owner of such abandoned property, or the holder of a valid security interest of record, may reclaim it from the towing company upon proof of ownership or valid security interest of record and payment of all reasonable charges for the towing and storage of the abandoned property.

9. Any person who removes abandoned property at the direction of a law enforcement officer or an officer of a government agency where that agency's real property is concerned as provided in this section shall have a lien for all reasonable charges for the towing and storage of the abandoned property until possession of the abandoned property is voluntarily relinquished to the owner of the abandoned property or to the holder of a valid security interest of record. Any personal property within the abandoned property need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid or satisfactory arrangements for payment have been made, except that any medication prescribed by a physician shall be released to the owner thereof upon request. The company holding or storing the abandoned property shall either release the personal property to the owner of the abandoned property or allow the owner to inspect the property and provide an itemized receipt for the contents.

The company holding or storing the property shall be strictly liable for the condition and safe return of the personal property. Such lien shall be enforced in the manner provided under section 304.156.

10. Towing companies shall keep a record for three years on any abandoned property towed and not reclaimed by the owner of the abandoned property. Such record shall contain information regarding the authorization to tow, copies of all correspondence with the department of revenue concerning the abandoned property, **including copies of any online records of the towing company accessed** and information concerning the final disposition of the possession of the abandoned property.

11. If a lienholder repossesses any motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel without the knowledge or cooperation of the owner, then the reposessor shall notify the local law enforcement agency where the repossession occurred within two hours of the repossession and shall further provide the local law enforcement agency with any additional information the agency deems appropriate. The local law enforcement agency shall make an inquiry with the national crime information center and the Missouri statewide law enforcement computer system and shall enter the repossessed vehicle into the statewide law enforcement computer system.

12. Notwithstanding the provisions of section 301.227, RSMo, any towing company who has complied with the notification provisions in section 304.156, including notice that any property remaining unredeemed after thirty days may be sold as scrap property may then dispose of such property as provided in this subsection. Such sale shall only occur if at least thirty days has passed since the date of such notification, the abandoned property remains unredeemed with no satisfactory arrangements made with the towing company for continued storage, and the owner or holder of a security agreement has not requested a hearing as provided in section 304.156. The towing company may dispose of such abandoned property by selling the property on a bill of sale as prescribed by the director of revenue to a scrap metal operator or licensed salvage dealer for destruction purposes only. The towing company shall forward a copy of the bill of sale provided by the scrap metal operator or licensed salvage dealer to the director of revenue within two weeks of the date of such sale. The towing company shall keep a record of each such vehicle sold for destruction for three years that shall be available for inspection by law enforcement and authorized department of revenue officials. The record shall contain the year, make, identification number of the property, date of sale, and name of the purchasing scrap metal operator or licensed salvage dealer and copies of all notifications issued by the towing company as required in this chapter. Scrap metal operators or licensed salvage dealers shall keep a record of the purchase of such property as provided in section 301.227, RSMo. Scrap metal operators and licensed salvage dealers may obtain a junk certificate as provided in 301.227, RSMo, on vehicles purchased on a bill of sale pursuant to this section.

304.157. 1. If a person abandons property, as defined in section 304.001, on any real property owned by another without the consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:

- (1) The abandoned property is left unattended for more than forty-eight hours; or
- (2) In the judgment of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.

2. A local government agency may also provide for the towing of motor vehicles from real property under the authority of any local ordinance providing for the towing of vehicles which are derelict, junk, scrapped, disassembled or otherwise harmful to the public health under the terms of the ordinance. Any local government agency authorizing a tow under this subsection shall report the tow to the local law enforcement agency within two hours with a crime inquiry and inspection report pursuant to section 304.155.

3. Neither the law enforcement officer, local government agency nor anyone having custody of abandoned property under his or her direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willful or wanton acts or omissions.

4. The owner of real property or lessee in lawful possession of the real property or the property or security manager of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow pursuant to this subsection may be made only under any of the following circumstances:

- (1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized abandoned property or property parked in a restricted or assigned area will be removed at the owner's expense, disclosing

the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained or a twenty-four-hour staffed emergency information telephone number by which the owner of the abandoned property or property parked in a restricted or assigned area may call to receive information regarding the location of such owner's property;

(2) The abandoned property is left unattended on owner-occupied residential property with four residential units or less, and the owner, lessee or agent of the real property in lawful possession has notified the appropriate law enforcement agency, and ten hours have elapsed since that notification; or

(3) The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency, and ninety-six hours have elapsed since that notification.

5. Pursuant to this section, any owner or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall at that time complete an abandoned property report which shall be considered a legal declaration subject to criminal penalty pursuant to section 575.060, RSMo. The report shall be in the form designed, printed and distributed by the director of revenue and shall contain the following:

(1) The year, model, make and abandoned property identification number of the property and the owner and any lienholders, if known;

(2) A description of any damage to the abandoned property noted by owner, lessee or property or security manager in possession of the real property;

(3) The license plate or registration number and the state of issuance, if available;

(4) The physical location of the property and the reason for requesting the property to be towed;

(5) The date the report is completed;

(6) The printed name, address and phone number of the owner, lessee or property or security manager in possession of the real property;

(7) The towing company's name and address;

(8) The signature of the towing operator;

(9) The signature of the owner, lessee or property or security manager attesting to the facts that the property has been abandoned for the time required by this section and that all statements on the report are true and correct to the best of the person's knowledge and belief and that the person is subject to the penalties for making false statements;

(10) Space for the name of the law enforcement agency notified of the towing of the abandoned property and for the signature of the law enforcement official receiving the report; and

(11) Any additional information the director of revenue deems appropriate.

6. Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to subsection 4 of this section shall deliver a copy of the abandoned property report to the local law enforcement agency having jurisdiction over the location from which the abandoned property was towed. The copy may be produced and sent by facsimile machine or other device which produces a near exact likeness of the print and signatures required, but only if the law enforcement agency receiving the report has the technological capability of receiving such copy and has registered the towing company for such purpose. The registration requirements shall not apply to law enforcement agencies located in counties of the third or fourth classification. The report shall be delivered within two hours if the tow was made from a signed location pursuant to subdivision (1) of subsection 4 of this section, otherwise the report shall be delivered within twenty-four hours.

7. The law enforcement agency receiving such abandoned property report must record the date on which the abandoned property report is filed with such agency and shall promptly make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property into the statewide law enforcement computer system, and an officer shall sign the abandoned property report and provide the towing company with a signed copy. The department of revenue may design and sell to towing companies informational brochures outlining owner or lessee of real property obligations pursuant to this section.

8. The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall search the records of the department of revenue and provide the towing company with the latest owner and lienholder information on the abandoned property, **and if the tower has online access to the department of revenue's records, the tower shall comply with the requirements of section 301.155, RSMo.** If the abandoned property is not claimed within ten working days, the towing company shall send a copy of the abandoned property report signed by a law enforcement officer to the department of revenue.

9. If any owner or lessee of real property knowingly authorizes the removal of abandoned property in violation of this section, then the owner or lessee shall be deemed guilty of a class C misdemeanor.”; and

Further amend said bill, Page 180, Section 407.567, Line 9 of said page, by inserting after all of said line the following:

“577.080. 1. A person commits the crime of abandoning a motor vehicle **or trailer** if he abandons any motor vehicle **or trailer** on the right-of-way of any public road or state highway or on or in any of the waters in this state or on the banks of any stream, or on any land or water owned, operated or leased by the state, any board, department, agency or commission thereof, or any political subdivision thereof or on any land or water owned, operated or leased by the federal government or on any private real property owned by another without his consent.

2. **For purposes of this section, the last owner of record of a motor vehicle or trailer found abandoned and not shown to be transferred pursuant to sections 301.196 and 301.197, RSMo, shall be deemed prima facie to have been the owner of such motor vehicle or trailer at the time it was abandoned and to have been the person who abandoned the motor vehicle or trailer or caused or procured its abandonment. The registered owner of the abandoned motor vehicle or trailer shall not be subject to the penalties provided by this section if the motor vehicle or trailer was in the care, custody, or control of another person at the time of the violation. In such instance, the owner shall submit such evidence in an affidavit permitted by the court setting forth the name, address, and other pertinent information of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle or trailer at the time of the alleged violation. The affidavit submitted pursuant to this subsection shall be admissible in a court proceeding adjudicating the alleged violation and shall raise a rebuttable presumption that the person identified in the affidavit was in actual control of the motor vehicle or trailer. In such case, the court has the authority to terminate the prosecution of the summons issued to the owner and issue a summons to the person identified in the affidavit as the operator. If the motor vehicle or trailer is alleged to have been stolen, the owner of the motor vehicle or trailer shall submit proof that a police report was filed in a timely manner indicating that the vehicle was stolen at the time of the alleged violation.**

3. Abandoning a motor vehicle **or trailer** is a class A misdemeanor.

4. **Any person convicted pursuant to this section shall be civilly liable for all reasonable towing, storage, and administrative costs associated with the abandonment of the motor vehicle or trailer. Any reasonable towing, storage, and administrative costs in excess of the value of the abandoned motor vehicle or trailer that exist at the time the motor vehicle is transferred pursuant to section 304.156, RSMo, shall remain the liability of the person convicted pursuant to this section so long as the towing company, as defined in chapter 304, RSMo, provided the title owner and lienholders, as ascertained by the department of revenue records, a notice within the timeframe and in the form as described in subsection 1 of section 304.156, RSMo.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 114, Section 238.257, Line 27, by inserting after all of said line the following:

“300.330. The driver of a **motor** vehicle shall not drive within any sidewalk **bicycle lane shall not be obstructed by a parked or standing motor** area except as a permanent or temporary driveway. **A designated vehicle or other stationary object. A motor vehicle may be driven in a designated bicycle lane only for the purpose of a lawful maneuver to cross the lane or provide for safe travel. In making an otherwise lawful maneuver that requires traveling in or crossing a designated bicycle lane, the driver of a motor vehicle shall yield to any bicycle in the lane. As used in this section, the term “designated bicycle lane” shall mean a portion of the roadway or highway which has been designated by the governing body having jurisdiction over such roadway or highway by striping, signing and pavement markings for the preferential or exclusive use of bicycles.**

300.410. Notwithstanding the foregoing provisions of sections 300.155 to 300.410, every driver of a vehicle, **human powered vehicle, or motorcycle** shall exercise the highest degree of care to avoid colliding **upon a roadway** with any pedestrian [upon any roadway and shall give warning by sounding the horn when necessary], **any person propelling or a passenger on a human powered vehicle, any person operating or a passenger on a motorcycle, or**

any person operating or occupying a motor vehicle and shall exercise [proper precaution] the highest degree of care upon observing any child or any confused or incapacitated person upon a roadway.

300.411. 1. When passing a bicycle, a person operating a motor vehicle shall exercise the highest degree of care by leaving a safe distance between the motor vehicle and the bicycle until the motor vehicle is safely past the bicycle.

2. When passing a pedestrian in or near a roadway, a person operating a vehicle shall exercise the highest degree of care by operating at a safe speed and leaving a safe distance between the vehicle and the pedestrian until the vehicle is safely past the pedestrian.”; and

Further amend said bill, Page 157, Section 304.580, Line 19, by inserting after all of said line the following:

“304.675. 1. The governing body of a county or municipality may establish a maximum speed limit within a school zone not less than twenty miles per hour. Such speed limit shall be in force only during those times thirty minutes before, during, and thirty minutes after the periods of time when students are arriving at a regularly scheduled school session and leaving a regularly scheduled school session. As used in this section, the term “school zone” means property on which a school building is located and the sections of street or highway on or adjacent to the school property that are designated by signs indicating that it is a school and showing the posted limit or a section of street or highway where a school crossing is located that is designated by signs indicating that it is a school crossing and showing the posted speed limit. The state highways and transportation commission shall approve a speed limit in school zones on state or federal highways before the same shall become effective.

2. The governing body of a county or municipality may establish a speed limit within a school zone lower than twenty miles per hour if it finds, in conjunction with the school board, that a lower limit is needed to promote public safety, and the governing body of a county or municipality may extend the hours which the school zone speed limit is in force, if it finds, in conjunction with the school board, that extended hours for the school zone speed limit are needed to promote public safety. The establishment of any speed limit within a school zone lower than twenty miles per hour shall be in accordance with sections 304.010, 304.120, and 304.130.

3. The governing body of a county or municipality may provide that fines for any traffic violation within a school zone during the hours when the school zone speed limit is in effect shall be double the usual amount, and may erect signs in school zones indicating that fines are doubled.

304.677. Notwithstanding any other provisions of the law to the contrary, every driver of a vehicle, human powered vehicle, or motorcycle shall exercise the highest degree of care to avoid colliding upon any roadway with any pedestrian, any person propelling or a passenger on a human powered vehicle, any person operating or a passenger on a motorcycle, or any person operating or occupying a motor vehicle, and shall exercise the highest degree of care upon observing any child or any confused or incapacitated person upon a roadway.

304.678. 1. When passing a bicycle, a person operating a motor vehicle shall exercise the highest degree of care by leaving a safe distance between the motor vehicle and the bicycle until the motor vehicle is safely past the bicycle.

2. When passing a pedestrian in or near a roadway, a person operating a vehicle shall exercise the highest degree of care by operating at a safe speed and leaving a safe distance between the vehicle and the pedestrian until the vehicle is safely past the pedestrian.”; and

Further amend said bill, Page 160, Section 307.178, Line 3, by inserting after all of said line the following:

“307.180. As used in sections 307.180 to 307.193:

(1) The word “bicycle” shall mean every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, or two parallel wheels and one or two forward or rear wheels, all of which are more than fourteen inches in diameter, except scooters and similar devices;

(2) The term “motorized bicycle” shall mean any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

307.191. Bicycle travel on the shoulder of the roadway, including travel on four-lane limited access highways, shall be permitted except where local ordinances and federal regulations or administrative rules

promulgated by the state highways and transportation commission prohibit such shoulder travel. Roadways where shoulder bicycle travel is prohibited shall be clearly marked with signs. On all other streets and highways where bicycle travel on shoulders is permitted, bicycle travel on the roadway in accordance with section 307.190 shall not be restricted.”; and

Further amend said bill, Page 180, Section 407.567, Line 9, by inserting after all of said line the following:

“537.038. Notwithstanding any other provisions of the law to the contrary, every driver of a vehicle, human powered vehicle, or motorcycle shall exercise the highest degree of care to avoid colliding upon any roadway with any pedestrian, any person propelling or a passenger on a human powered vehicle, any person operating or a passenger on a motorcycle, or any person operating or occupying a motor vehicle, and shall exercise the highest degree of care upon observing any child or any confused or incapacitated person upon a roadway.

565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if [he] **the person:**

(1) Recklessly causes the death of another person; or

(2) While in an intoxicated condition operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause the death of any person **or;**

(3) In operating a vehicle, recklessly causes the death of another person.

2. Involuntary manslaughter in the first degree is a class C felony.

3. A person commits the crime of involuntary manslaughter in the second degree if:

(1) [He] **The person** acts with criminal negligence to cause the death of any person; **or**

(2) The person operates a vehicle in a manner that violates local, state, or federal traffic law or regulation, and causes or contributes to the death of any person.

4. Involuntary manslaughter in the second degree is a class D felony.

565.060. 1. A person commits the crime of assault in the second degree if [he] **the person:**

(1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to another person under the influence of sudden passion arising out of adequate cause; or

(2) Attempts to cause or knowingly causes physical injury to another person by means of a deadly weapon or dangerous instrument; or

(3) Recklessly causes serious physical injury to another person; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause physical injury to any other person than himself; or

(5) Recklessly causes physical injury to another person by means of discharge of a firearm; **or**

(6) In operating a vehicle, recklessly causes serious physical injury to another person.

2. The defendant shall have the burden of injecting the issue of influence of sudden passion arising from adequate cause under subdivision (1) of subsection 1 of this section.

3. Assault in the second degree is a class C felony.

565.070. 1. A person commits the crime of assault in the third degree if:

(1) The person attempts to cause or recklessly causes physical injury to another person; or

(2) With criminal negligence the person causes physical injury to another person by means of a deadly weapon; **or**

(3) The person purposely places another person in apprehension of immediate physical injury; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to another person; or

(5) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative; or

(6) The person knowingly causes physical contact with an incapacitated person, as defined in section 475.010, RSMo, which a reasonable person, who is not incapacitated, would consider offensive or provocative; **or**

(7) In operating a vehicle, the person recklessly causes physical injury to another person.

2. Except as provided in subsections 3 and 4 of this section, assault in the third degree is a class A misdemeanor.

3. A person who violates the provisions of subdivision (3) or (5) of subsection 1 of this section is guilty of a class C misdemeanor.

4. A person who has pled guilty to or been found guilty of the crime of assault in the third degree more than two times against any family or household member as defined in section 455.010, RSMo, is guilty of a class D felony for the

third or any subsequent commission of the crime of assault in the third degree when a class A misdemeanor. The offenses described in this subsection may be against the same family or household member or against different family or household members.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 135, Section 301.130, Line 14 of said page, by inserting after all of said line the following:

“301.132. 1. [Any motor vehicle manufactured in 1948 or before which is modified for safe road use, including but not limited to modifications to the drive train, suspension, brake system, and any safety or comfort apparatus and which is not owned solely as a collector's item and which is not used or intended to be used solely for exhibition and educational purposes only, may be specially registered as a “street rod” upon payment of an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees. Upon the transfer of the title to any such vehicle the registration shall be canceled and the license plates issued therefor shall be returned to the director of revenue.

2. The owner of any such vehicle shall file an application in a form prescribed by the director, verified by affidavit, providing that such vehicle meets the requirements which shall be issued by the director for classification as a “street rod”, and a certificate of registration shall be issued therefor.

3. The director shall issue to the owner of any motor vehicle registered under this section two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: “Street Rod”, “State of Missouri”. Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The advisory committee established in section 301.129 shall determine the characteristic features of such license plates for vehicles registered under the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Motor vehicles registered under this section are subject to the motor vehicle safety inspection requirements of sections 307.350 to 307.390, RSMo.] **For purposes of this section, “street rod” is a vehicle older than 1949 or a vehicle manufactured after 1948 to resemble a vehicle manufactured before 1949; and has been altered from the manufacturer's original design or has a body constructed from nonoriginal materials.**

2. The model year and the year of manufacture that are listed on the certificate of title of a street rod vehicle shall be the model year and year of manufacture.

3. For each street rod, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

4. In applying for registration of a street rod pursuant to this section, the owner of the street rod shall submit with the application a certification that the vehicle for which the application is made will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses, and will not be used for general daily transportation.

5. In addition to the certification required pursuant to subsection 4 of this section, when applying for registration of a street rod, the new owner of the street rod shall provide proof that the street rod passed a safety inspection in accordance with section 307.350, RSMo.

6. On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: “Street Rod”, “State of Missouri”. Such license plates shall be kept securely attached to the motor vehicle registered pursuant to this section. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such; except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

7. Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

8. Except as provided in subsection 5 of this section, a vehicle registered pursuant to this section is exempt from any statute of this state that requires periodic vehicle inspections and from any statute of this state that requires the use and inspection of emission controls.

9. A custom vehicle means any motor vehicle that:

(1) Is at least twenty-five years old and of a model year after 1948, or was manufactured to resemble a vehicle twenty-five years old or older and of a model year after 1948; and

(2) Has been altered from the manufacturer's original design or has an entire body constructed from nonoriginal materials.

10. The model year and the year of manufacture that are listed on the certificate of title of a custom vehicle shall be the model year and year of manufacture.

11. For each custom vehicle, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

12. In applying for registration of a custom vehicle pursuant to this section, the owner of the custom vehicle shall submit with the application a certification that the vehicle for which the application is made will be maintained for occasional transportation, exhibits, club activities, parades, tours, and similar uses, and will not be used for general daily transportation.

13. In addition to the certification required pursuant to subsection 12 of this section, when applying for registration of a custom vehicle, the new owner of the custom vehicle shall provide proof that the custom vehicle passed a safety inspection in accordance with section 307.350, RSMo.

14. On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: "Custom Vehicle", "State of Missouri". Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such; except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive as prescribed by section 301.130.

15. Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

16. Except as provided in subsection 12 of this section, a vehicle registered pursuant to this section is exempt from any statute of this state that requires periodic vehicle inspections and from any statute of this state that requires the use and inspection of emission controls.

17. For purposes of this section, "blue dot tail light" is a red lamp installed in the rear of a motor vehicle containing a blue or purpose insert that is not more than one inch in diameter.

18. A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 68, Section 227.352, Line 12, by inserting after the end of said line the following:

"227.355. The portion of U.S. Highway 65 contained within Mercer County shall be designated the "Robert Taylor Kelly Memorial Highway". Costs for such designations shall be paid by private donations."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 946, 1106 & 952, Page 180, Section 407.567, Line 9, by inserting after said line the following:

“590.650. 1. As used in this section "minority group" means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle [for a violation of any motor vehicle statute or ordinance], that officer shall report the following information to the law enforcement agency that employs the officer:

- (1) The age, gender and race or minority group of the individual stopped;
- (2) The [traffic violation or violations alleged to have been committed that led to] **reasons for the stop**;
- (3) Whether a search was conducted as a result of the stop;
- (4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person's property was searched, and the duration of the search;
- (5) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;
- (6) Whether any warning or citation was issued as a result of the stop;
- (7) If a warning or citation was issued, the violation charged or warning provided;
- (8) Whether an arrest was made as a result of either the stop or the search;
- (9) If an arrest was made, the crime charged; and
- (10) The location of the stop. Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

- (a) The total number of vehicles stopped by peace officers during the previous calendar year;
- (b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;
- (c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and
- (d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; and

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 1394, as amended**: Senators Vogel, Bartle, Griesheimer, Callahan and Stoll.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 855**, entitled:

An act to repeal sections 376.779, 376.810, 376.811, 376.826, 376.836, and 376.840, RSMo, and to enact in lieu thereof six new sections relating to insurance coverage for mental health.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SCS SBs 1020, 889 & 869**, and has taken up and passed **CCS HS HCS SCS SBs 1020, 889 & 869**.

Emergency clause adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SB 1394: Representatives Cooper (120), Sutherland, Icet, Young and Burnett

THIRD READING OF SENATE BILLS

SCS SB 1196, relating to fireworks regulation, was taken up by Representative Lager.

Representative Lager offered **HS SCS SB 1196**.

On motion of Representative Lager, **HS SCS SB 1196** was adopted.

On motion of Representative Lager, **HS SCS SB 1196** was read the third time and passed by the following vote:

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AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 61	Jones
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Kelly 144 Roark

PRESENT: 001

Ransdall

ABSENT WITH LEAVE: 007

Avery	Henke	Holand	Johnson 47	Johnson 90
Jolly	McKenna			

Speaker Hanaway declared the bill passed.

SCS SB 1040, with House Committee Amendment No. 1, relating to hazardous waste management, was taken up by Representative Townley.

On motion of Representative Townley, **House Committee Amendment No. 1** was adopted.

Representative Townley offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 1040, with House Committee Amendment No. 1, Page 14, Section 260.475, Line 57 of said page, by inserting immediately after the word “date” the following:

“and reported to the department”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Townley, **House Amendment No. 1** was adopted.

Representative Schlottach offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 1040, Page 1, Section A, Line 3, by inserting after all of said line the following:

"260.335. 1. For fiscal years 1992-1997, one million dollars from the solid waste management fund shall be made available, upon appropriation, to the department and the environmental improvement and energy resources authority to fund activities that promote the development and maintenance of markets for recovered materials, and beginning in fiscal year 1998, ten percent of the moneys in the solid waste management fund, **from August 28, 2004, to August 28, 2005**, not to exceed [one million] **eight hundred thousand** dollars, shall be made available for such purposes. Up to [fifteen] **nineteen** percent of such moneys may be used, upon appropriation, to administer the management of household hazardous waste and agricultural hazardous waste from family farms and family farm corporations, as defined in section 350.010, RSMo, to provide for establishment of an education program and a plan for the collection of household hazardous waste on a statewide basis by January 1, 2000. **After August 28, 2005, no more than one million dollars shall be made available for such purposes. Up to fifteen percent of such moneys may be used upon appropriation to administer the management of household hazardous waste and agricultural hazardous waste from family farms and family farm corporations, as defined in section 350.010, RSMo, to provide for establishment of an education program and a plan for the collection of household hazardous waste on a statewide basis by January 1, 2000.** The department and the authority shall establish a joint interagency agreement with the department of economic development to identify state priorities for market development and to develop the criteria to be used to judge proposed projects. Additional moneys may be appropriated in subsequent fiscal years if requested. The authority shall establish a procedure to measure the effectiveness of the grant program under this subsection and shall provide a report to the governor and general assembly by January fifteenth of each year regarding the effectiveness of the program.

2. All remaining [moneys in] **revenues deposited into** the fund **each fiscal year** after moneys have been made available for market development under subsection 1 of this section shall be allocated as follows:

(1) **From August 28, 2004, to August 28, 2005**, up to [ten] **forty-two** percent of the [moneys] **revenues** shall be dedicated, upon appropriation, to the elimination of illegal solid waste disposal, to identify and prosecute persons disposing of solid waste illegally;

(2) Up to fifteen percent of the moneys may, upon appropriation, be used], **to conduct solid waste permitting activities**, to administer grants and perform other duties imposed in sections [260.255] **260.200** to 260.345 and section 260.432. **After August 28, 2005, up to twenty-five percent of the revenues shall be dedicated, upon appropriation, to the activities and duties authorized in this subdivision;**

[(3)] (2) **From August 28, 2004, to August 28, 2005**, at least [fifty] **fifty-eight** percent of the [moneys] **revenues** shall be allocated through grants, upon appropriation, to participating cities, counties, and districts [through grants or loans]. **After August 28, 2005, up to fifty percent of the revenues shall be allocated through grants, upon appropriation, to participating districts.** Forty percent of the revenue generated within each region and allocable under this subdivision may be allocated to the district upon approval of the department for implementation of a solid waste management plan **and district operations**, and sixty percent of the revenue generated within each region and allocable under this subdivision shall be allocated to the cities and counties [within] **of the district or to persons or entities providing solid waste management, waste reduction, recycling and related services in these cities and**

counties. For the purposes of this subdivision, revenue generated within each district shall be determined from the previous year's data. **From August 28, 2004, to August 28, 2005,** each district shall receive a minimum of [forty-five] **seventy-five** thousand dollars under this subdivision. **After August 28, 2005, each district shall receive a minimum of forty-five thousand dollars under this subdivision.** Each district receiving moneys under this subdivision shall expend such moneys pursuant to a solid waste management plan required under section 260.325, and only in the case that the district is in compliance with planning requirements established by the department, and shall submit, within ninety days of the end of the fiscal year, an audited report of the expenditure of all funds received under this subsection. Moneys shall be awarded based upon grant applications. Any moneys remaining in any fiscal year due to insufficient or inadequate applications may be reallocated pursuant to **this** subdivision [(4) of this subsection]. [Moneys received from a region without a district which are allocable under this subsection shall be accumulated through September 30, 1993, and may be allocated to any district which forms within the region before July 1, 1996, and to cities and counties within the district to further the purposes of sections 260.300 to 260.345. Moneys collected in and accumulated for a region without a district on June 30, 1996, shall be reallocated to existing districts after July 1, 1996, pursuant to this section;

(4) The] (3) **From August 28, 2004, to August 28, 2005, any** remaining moneys in the fund shall be used, upon appropriation, to provide grants [or loans] for **statewide** solid waste management **planning or research** projects to any district, county or city of the state or to any other person or entity involved in waste reduction or recycling **or for contracted services** to further the purposes of **section 260.225 and** sections 260.255 to 260.345[. Solid waste management districts may apply annually to the department for a three-to-one matching grant of up to twenty thousand dollars per district per year to be used for the purpose of district operations]. **After August 28, 2005, any remaining moneys in the fund shall be used, upon appropriation, to provide grants or loans for statewide solid waste management projects to any district, county or city of the state or to any other person or entity involved in waste reduction or recycling to further the purposes of sections 260.255 to 260.345. Solid waste management districts may apply annually to the department for a three-to-one matching grant of up to twenty thousand dollars per district per year to be used for the purpose of district operations;**

[(5)] (4) Funds may be made available under this subsection for the administration and grants of the used motor oil program described in section 260.253;

[(6)] (5) The department and the environmental improvement and energy resources authority shall conduct sample audits of grants provided under this subsection.

3. The advisory board created in section 260.345 shall recommend criteria to be used to allocate grant moneys to districts, cities and counties. These criteria shall establish a priority for proposals which provide methods of solid waste reduction and recycling. The department shall promulgate criteria for evaluating grants by rule and regulation. Projects of cities and counties located within a district which are funded by grants under this section shall conform to the district solid waste management plan.

4. **Beginning July 1, 2004, a joint committee appointed by the speaker of the house of representatives and the president pro tem of the senate shall consider proposals for fees, restructuring the distribution of the fees between solid waste districts, grant recipients, and the department. The committee shall consider options for the distribution of the tipping fee to the solid waste districts and any other matters it deems appropriate. The committee shall prepare and submit a report including its recommendation for changes to the governor, the house of representatives, and the senate no later than December 31, 2004.**

5. The funds awarded to the districts, counties and cities pursuant to this section shall be used for the purposes set forth in sections 260.300 to 260.345, and shall be used in addition to existing funds appropriated by counties and cities for solid waste management and shall not supplant county or city appropriated funds.

[5.] 6. The department, in conjunction with the solid waste advisory board, shall review the performance of all grant recipients to ensure that grant moneys were appropriately and effectively expended to further the purposes of the grant, as expressed in the recipient's grant application. The grant application shall contain specific goals and implementation dates, and grant recipients shall be contractually obligated to fulfill same. The department may require the recipient to submit periodic reports and such other data as are necessary, both during the grant period and up to five years thereafter, to ensure compliance with this section. The department may audit the records of any recipient to ensure compliance with this section. Recipients of grants under sections 260.300 to 260.345 shall maintain such records as required by the department. If a grant recipient fails to maintain records or submit reports as required herein, refuses the department access to the records, or fails to meet the department's performance standards, the department may withhold subsequent grant payments, if any, and may compel the repayment of funds provided to the recipient pursuant to a grant. The department shall make available all of the unencumbered funds generated during prior fiscal years by the fees established under section 260.330 through grants or loans to solid waste management areas and processing

facilities, municipalities, counties, districts, and other appropriate persons who demonstrate a need for assistance to comply with section 260.250. Such grants or loans shall be used for educational programs, transportation, low-interest or no-interest loans to purchase property for composting or other solid waste source reduction activities stated to facilitate compliance with section 260.250.

[6.] 7. The department shall provide for a security interest in any machinery or equipment purchased through grant moneys distributed pursuant to this section.

8. If the moneys are not transmitted to the department within the time frame established by the rule promulgated, interest shall be imposed on the moneys due the department at the rate of ten percent per annum from the prescribed due date until payment is actually made. These interest amounts shall be deposited to the credit of the solid waste management fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schlottach, **House Amendment No. 2** was adopted.

On motion of Representative Townley, **SCS SB 1040, as amended**, was read the third time and passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Bruns Holand Willoughby

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Haywood	Henke	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 009

Barnitz	Burnett	Harris 23	Johnson 90	LeVota
Sager	Walker	Ward	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Holand

Speaker Pro Tem Jetton assumed the Chair.

HCS SB 1211, relating to court personnel and court procedures, was taken up by Representative Byrd.

Representative Byrd offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 1211, Section 3.130, Page 4, Line 59, by inserting after all of said line the following:

“56.750. The “Missouri Office of Prosecution Services” is hereby established as an autonomous entity in the Missouri attorney general’s office. It shall be the purpose of the Missouri office of prosecution services to assist the prosecuting attorneys throughout the state in their efforts against criminal activity in the state. Such assistance may include:

(1) The obtaining, preparing, supplementing, and disseminating of indexes to and digests of the decisions of the supreme court and the court of appeals of Missouri and other courts, and the statutes, and other legal authorities relating to criminal matters, and civil matters concerning the duties of prosecuting attorneys and circuit attorney;

(2) The preparation and distribution of model complaints, informations, indictments, instructions, search warrants, interrogation advices, and other common and appropriate documents employed in the administration of criminal justice;

(3) The preparation and distribution of a basic prosecutor’s manual and other educational materials;

(4) The promotion of and assistance in the training of prosecuting attorneys and circuit attorney on a statewide basis;

(5) The provision of legal research assistance to prosecuting attorneys and circuit attorney; [and]

(6) The development, support and maintenance of automated case management and criminal history reporting systems approved by the Prosecutors Coordinators Training Council as the standard utilized by prosecuting attorneys and circuit attorney; and

[(6)] (7) The provision of other assistance to prosecuting attorneys and circuit attorney that is necessary for the successful implementation of sections 56.750 to 56.775 or that hereinafter may be authorized by law.”; and

Further amend said bill, Section 476.820, Page 20, Line 6, by inserting after all of said line the following:

“3. In all cases not included in subsection 2 of this section, such fees and expenses may be taxed as costs by the court to the parties. Prior to any proceeding requiring an interpreter or translator, the court may order either party, or both, to deposit money with the court in an amount reasonably necessary to cover such fees and expenses. Upon disposition of the proceeding the court may order such costs paid from such deposit and shall return any portion of the deposit not used for such court costs to the parties.”; and

Further amend said bill, Section 488.2275, Page 26, Line 21, by inserting after all of said line the following:

“490.525. 1. This section shall apply to civil actions filed in any court of this state.

2. Unless a controverting affidavit is filed as provided by this section, an affidavit that the amount a person charged for a service was reasonable at the time and place that the service was provided and that the service was necessary is sufficient evidence to support a finding of fact by judge or jury that the amount charged was reasonable or that the service was necessary.

3. The affidavit shall:

(1) Be taken before an officer with authority to administer oaths;

(2) Be made by the person **or that person’s designee** who provided the service;

(3) Include an itemized statement of the service and charge.

4. The party offering the affidavit in evidence or the party’s attorney shall file the affidavit with the clerk of the court and serve a copy of the affidavit on each other party to the case at least thirty days before the day on which evidence is first presented at the trial of the case.

5. A party intending to controvert a claim reflected by the affidavit shall file a counteraffidavit with the clerk of the court and serve a copy of the counteraffidavit on each other party or the party’s attorney of record:

- (1) Not later than:
 - (a) Thirty days after the day he receives a copy of the affidavit; and
 - (b) At least fourteen days before the day on which evidence is first presented at the trial of the case; or
- (2) With leave of the court, at any time before the commencement of evidence at trial.

6. The counteraffidavit shall give reasonable notice of the basis on which the party filing it intends at trial to controvert the claim reflected by the initial affidavit and must be taken before a person authorized to administer oaths. The counteraffidavit shall be made by a person who is qualified, by knowledge, skill, experience, training, education or other expertise, to testify in contravention of all or part of any of the matters contained in the initial affidavit.

491.640. 1. The **Prosecutors Coordinators Training Council, as established in Section 56.760, RSMo.** [director of the department of public safety] may, upon the **council's** [director's] own initiative or at the request of the attorney general, any prosecuting attorney or law enforcement agency, provide for the security of witnesses, potential witnesses and their immediate families in criminal proceedings instituted or investigations pending against a person alleged to have engaged in a violation of state law. Providing for witnesses may include provision of housing facilities and for the health, safety and welfare of such witnesses and their immediate families, if testimony by such a witness might subject the witness or a member of his immediate family to danger of bodily injury, and may continue so long as such danger exists.

2. The **Prosecutors Coordinators Training Council** [director of the department of public safety] may authorize the purchase, rental or modification of protected housing facilities for the purpose of this section. The **council** [director] may contract with any department of federal or state government to obtain or to provide the facilities or services to carry out this section.

3. The **Prosecutors Coordinators Training Council** [director of the department of public safety] may authorize expenditures to provide for the health, safety and welfare of witnesses and victims, and the families of such witnesses and victims, whenever, in his judgment, testimony from, or a willingness to testify by, such a witness or victim would place the life of such person, or a member of his family or household, in jeopardy. Applications by requesting law enforcement agencies under this section must include but not necessarily be limited to:

- (1) Statement of conditions which qualify persons for protection;
- (2) Precise methods the originating agency will use to provide protection, including relocation of persons and reciprocal agreements with other law enforcement agencies;
- (3) Statement of projected costs over a specified period of time.

4. The Prosecutors Coordinators Training Council may delegate administration of the program set forth in this section to the Executive Director of the Missouri Office of Prosecution Services. Subject to appropriations from the general assembly for the purposes provided for in this section, funds may be appropriated from the Missouri Office of Prosecution Services Fund set forth in Section 56.765.2, general revenue or federal funds. Under no circumstance shall the expenditures from general revenue for the purposes provided for in this section exceed the amount of ninety-five thousand dollars, if and when appropriated by the general assembly for such purposes.”; and

Further amend said bill, Section 494.430, Page 27, Line 10, by deleting the opening bracket “[“ after the word “hardship” on said line; and

Further amend said bill, Section 494.430, Page 27, Line 12, by deleting the closing bracket “]” after the word pharmacy on said line and inserting in lieu thereof the following:

“, but only if such person provides a written statement to the court certifying that he or she is actually providing health care services to patients, and that the person’s service as a juror would be detrimental to the health of the person’s patients”; and

Further amend said bill, Section 590.120, Pages 42 and 43, Lines 1 through 39, by deleting all of said lines; and

Further amend said bill, Section 630.130, Page 51, Line 30, by inserting after all of said line the following:

“632.498. Each person committed pursuant to sections 632.480 to 632.513 shall have a current examination of the person's mental condition made once every year by the director of the department of mental health or designee. The yearly report shall be provided to the court that committed the person pursuant to sections 632.480 to 632.513. The court shall conduct an annual review of the status of the committed person. Nothing contained in sections 632.480 to 632.513 shall prohibit the person from otherwise petitioning the court for discharge. The director of the department of

mental health shall provide the committed person with an annual written notice of the person's right to petition the court for release over the director's objection. The notice shall contain a waiver of rights. The director shall forward the notice and waiver form to the court with the annual report. The committed person shall have a right to have an attorney represent the person at the hearing but the person is not entitled to be present at the hearing. If the court at the hearing determines [that probable cause exists to believe] **by a preponderance of the evidence** that the [person's mental abnormality has so changed that the person is safe to be at large and will not] **person no longer suffers from a mental abnormality that makes the person likely to** engage in acts of sexual violence if discharged, then the court shall set a hearing on the issue. At the hearing, the committed person shall be entitled to be present and entitled to the benefit of all constitutional protections that were afforded the person at the initial commitment proceeding. The attorney general shall represent the state and shall have a right to a jury trial and to have the committed person evaluated by a psychiatrist or psychologist not employed by the department of mental health or the department of corrections. In addition, the person may be examined by a consenting psychiatrist or psychologist of the person's choice at the person's own expense. The burden of proof at the [hearing] **trial** shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality remains such that the person is not safe to be at large and if released is likely to engage in acts of sexual violence.”; and

Further amend said bill, Section 2, Page 51, Lines 1 through 9, by deleting all of said lines; and

Further amend said bill, Section 452.420, Pages 51 and 52, Lines 1-5 on Page 51, and Line 6 on Page 52, by striking all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

Representative Bringer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 1211, Page 4, Section 3.130, Line 59, by inserting after all of said line the following:

"57.260. It shall be the duty of the sheriff of Marion County to have at least one deputy[, residing in the city of Hannibal,] who shall attend district number 2 of the circuit court of Marion County at Hannibal; and if said sheriff shall neglect for one month to appoint a deputy [residing in the city of Hannibal,] as required by this section, he **or she** shall be liable to pay as a penalty therefor the sum of five hundred dollars for each month of such failure or neglect, and judgment may be entered for said penalty on a citation to show cause, issued from said court and served on said sheriff in like manner as an order or summons, or may be recovered by an action for that purpose brought in the name of the county of Marion.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 2** was adopted.

Representative Johnson (90) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 1211, Page 25, Section 488.2275, Line 6, by inserting after the comma the following:

“and in any county of the first classification with more than one hundred ninety-eight thousand bus less than one hundred ninety-nine thousand two hundred inhabitants,”.

On motion of Representative Johnson (90), **House Amendment No. 3** was adopted.

Representative Willoughby offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 1211, Page 27, Section 494.430, Line 3, by striking the opening bracket (“[“); and

Further amend said page, Line 4, by striking the closing bracket (“]”).

Representative Willoughby moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Byrd, **HCS SB 1211, as amended**, was adopted.

On motion of Representative Byrd, **HCS SB 1211, as amended**, was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jones	Kelly 144	Kelly 36
King	Kingery	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119

Wilson 130
Wright
Madam Speaker

Wilson 25
Yaeger

Wilson 42
Yates

Witte
Young

Wood
Zweifel

NOES: 000

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 006

Avery
Smith 118

Jolly

Kratky

Morris

Skaggs

Speaker Pro Tem Jetton declared the bill passed.

BILLS IN CONFERENCE

CCR SS SCS HCS HBs 795, 972, 1128 & 1161, as amended, relating to county government, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **CCR SS SCS HCS HBs 795, 972, 1128 & 1161, as amended**, was adopted by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walker

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Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Fares	Townley
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On motion of Representative Johnson (47), **CCS SS SCS HCS HBs 795, 972, 1128 & 1161** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Townley Viebrock

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery Kelly 36 Myers Townley Viebrock
Wilson 42

CCR#2 SS HS HCS HB 978, as amended, relating to small business, was taken up by Representative Baker.

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On motion of Representative Baker, **CCR#2 SS HS HCS HB 978**, as amended, was adopted by the following vote:

AYES: 139

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Green	Guest	Hampton
Harris 23	Henke	Hilgemann	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yates	Young	Zweifel	Madam Speaker	

NOES: 022

Burnett	Campbell	Carnahan	Darrough	Daus
Donnelly	Fraser	Harris 110	Haywood	Hoskins
Hubbard	Johnson 90	Jolly	Lowe	Meiners
Muckler	Sager	Selby	Villa	Walker
Wilson 25	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Smith 118

On motion of Representative Baker, **CCS#2 SS HS HCS HB 978** was read the third time and passed by the following vote:

AYES: 137

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown

Bruns	Byrd	Cooper 120	Cooper 155	Corcoran
Crowell	Cunningham 145	Cunningham 86	Curls	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	George	Goodman	Graham
Green	Guest	Hampton	Harris 23	Henke
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yates	Young
Zweifel	Madam Speaker			

NOES: 023

Bland	Burnett	Campbell	Carnahan	Darrough
Daus	Donnelly	Fraser	Harris 110	Haywood
Hoskins	Johnson 90	Jolly	Lowe	Meiners
Muckler	Sager	Selby	Villa	Walker
Wildberger	Wilson 25	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Crawford	Smith 118
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Speaker Pro Tem Jetton declared the bill passed.

CCR#2 SCS HCS HB 959, as amended, relating to financial services, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **CCR#2 SCS HCS HB 959, as amended**, was adopted by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford

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Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 003

Henke	Selby	Walker
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Viebrock	Wilson 25
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On motion of Representative Luetkemeyer, **CCS#2 SCS HCS HB 959** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36

King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Henke	Selby	Walker	Wilson 25
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PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Deeken	Moore	Sager	Smith 118
Viebrock				

Speaker Pro Tem Jetton declared the bill passed.

CCR SS HCS HB 1055, as amended, relating to sexual offenses, was taken up by Representative Bruns.

On motion of Representative Bruns, **CCR SS HCS HB 1055, as amended**, was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota

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Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Marsh	Moore	Smith 118
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On motion of Representative Bruns, **CCS SS HCS HB 1055** was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng

St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Wilson 25

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Avery	Marsh	Smith 118
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Speaker Pro Tem Jetton declared the bill passed.

CCR HS HB 1487, with Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, and Senate Amendment No. 2, relating to kidnapping a child, was taken up by Representative Self.

On motion of Representative Self, **CCR HS HB 1487, as amended**, was adopted by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby

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Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Marsh	Smith 118	Threlkeld
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On motion of Representative Self, **CCS HS HB 1487** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Marsh Smith 118

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Marsh Purgason Smith 118

CCR SS SCS HCS HB 1288, as amended, relating to franchise agreements, was taken up by Representative Threlkeld.

1883 *Journal of the House*

On motion of Representative Threlkeld, **CCR SS SCS HCS HB 1288, as amended**, was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Cunningham 145	Wasson
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Marsh	Smith 118
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On motion of Representative Threlkeld, **CCS SS SCS HCS HB 1288** was read the third time and passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks

Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Corcoran	Crawford	Crowell
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

Cunningham 145 Wasson

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Cooper 155 Marsh Smith 118

Speaker Pro Tem Jetton declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 1265, relating to civilian review boards, was taken up by Representative Byrd.

Representative Byrd offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 1265, Section 590.653, Page 1, Line 13, by striking the phrase “**a crime**” on said line and inserting immediately thereafter the following:

“any felony, class A or B misdemeanor, or any crime involving the assault of a law enforcement officer, resisting arrest, or fleeing”; and

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Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

On motion of Representative Byrd, **SCS SB 1265, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hunter	Icet	Jackson	Jetton
Johnson 90	Jolly	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Townley
Viebrock	Villa	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 007

Boykins	Bringer	Brooks	El-Amin	Hubbard
Johnson 61	Jones			

PRESENT: 002

Vogt	Wilson 42
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ABSENT WITH LEAVE: 007

Avery	Johnson 47	Marsh	Ruestman	Smith 118
Threlkeld	Wilson 25			

Speaker Pro Tem Jetton declared the bill passed.

SENATE CONCURRENT RESOLUTION

SCR 37, relating to a Joint Interim Committee on Teacher Support, Regulatory Reduction and Accountability, was taken up by Representative Engler.

On motion of Representative Engler, **SCR 37** was adopted.

BILL IN CONFERENCE

CCR HCS HB 1617, with Senate Substitute Amendment No. 1 for Senate Amendment No. 1, relating to obstruction of securities investigations, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **CCR HCS HB 1617, as amended**, was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenbery
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Kratky	Marsh	Moore	Smith 118
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On motion of Representative Hanaway, **CCS HCS HB 1617**, was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Daus	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Kratky	Marsh
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Speaker Pro Tem Jetton declared the bill passed.

HOUSE CONCURRENT RESOLUTION

HCR 41, relating to the World Health Organization, was taken up by Representative Phillips.

Representative Phillips offered **HS HCR 41**.

Speaker Hanaway resumed the Chair.

On motion of Representative Phillips, **HS HCR 41** was adopted.

SENATE CONCURRENT RESOLUTIONS

SCR 34, relating to services for the blind, was taken up by Representative Crawford.

On motion of Representative Crawford, **SCR 34** was adopted.

SS SCR 47, with House Committee Amendment No. 1, relating to a Joint Interim Committee on State Supported Passenger Rail Services and Multimodal Transportation, was taken up by Representative Pearce.

On motion of Representative Pearce, **House Committee Amendment No. 1** was adopted.

On motion of Representative Pearce, **SS SCR 47, as amended**, was adopted.

SCR 30, relating to the Revisor of Statutes, was taken up by Representative Yates.

On motion of Representative Yates, **SCR 30** was adopted.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HB 1487, as amended**, and has taken up and passed **CCS HS HB 1487**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS SCS SBs 1233, 840 & 1043, as amended**, and requests the House recede from its position or, failing to do so, grant the Senate a conference thereon and further that the Senate conferees are allowed to exceed the differences to address the issues of racial profiling and primary seatbelt enforcement.

THIRD READING OF SENATE BILLS

HCS SCS SB 972, relating to the Missouri Public Safety Medal of Valor, was taken up by Representative McKenna.

Representative McKenna offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 972, Page 5, Section 650.615, Line 9 of said page, by inserting after the word "**safety**" the following:

"from the fund created pursuant to section 650.620"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative McKenna, **House Amendment No. 1** was adopted.

On motion of Representative McKenna, **HCS SCS SB 972, as amended**, was adopted.

On motion of Representative McKenna, **HCS SCS SB 972, as amended**, was read the third time and passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton

Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Marsh	Smith 118	Townley	Wilson 25
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Speaker Hanaway declared the bill passed.

SCS SB 987, relating to water district boundaries, was taken up by Representative Johnson (47).

Representative Bivins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 7, Section 247.165, Line 84, by inserting after all of said line the following:

"644.581. In addition to those sums authorized prior to August 28, 2004, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and this chapter.

644.582. In addition to those sums authorized prior to August 28, 2004, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.

644.583. In addition to those sums authorized prior to August 28, 2004, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bivins, **House Amendment No. 1** was adopted.

Representative Wood offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 4, Section 247.040, Line 96 of said page, by inserting immediately after said line the following:

"247.085. 1. The board of directors of any public water supply district which is dependent upon purchases of water to supply its needs shall have power to sell and convey part or all of the property of the district to any city, owning and operating a waterworks system, in consideration whereof the city shall obligate itself to pay or assume the payment of all outstanding bond obligations of the district, and to provide reasonable and adequate water service and furnish water ample in quantity for all needful purposes, and pure and wholesome in quality, to the inhabitants of the territory lying

within the district, during such period of time and under such terms and conditions as may be agreed upon by the city and the board of directors of the district; provided, however, that no action shall be taken as provided herein until said city and public water supply district shall cause a printed notice of their intention to act under this section to be published in a manner prescribed for by law in a newspaper having a general circulation in said city and public water supply district, and a statement of the time and manner of said publication shall be recited in any agreement or contract executed hereunder.

2. Thereafter the board of directors may sell and convey any remaining property of the district and after payment of the debts of the district, other than bond obligations, the board of directors may use the funds of the district for the purpose of providing fire protection or for any other public purpose which in the opinion of the board will be beneficial to the inhabitants of the district.

3. The powers granted by this section are in addition to the powers granted by other sections and are not subject to the terms and conditions set forth in those sections.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wood, **House Amendment No. 2** was adopted.

Representative Hobbs offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 2, Subsection 4, Lines 42-44, by striking the following:

“or by any municipality with boundaries located not more than two miles from any boundary of the proposed district;”.

SCS SB 987, as amended, with House Amendment No. 3, pending, was laid over.

HCS SB 1391, relating to transient guest tax, was taken up by Representative Emery.

Representative Emery offered **HS HCS SB 1391**.

Representative Walsh offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1391, Page 9, Section 94.838, Line 23, by inserting after all of said line the following:

"321.552. 1. Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; [or any county with a charter form of government with over one million inhabitants;] or any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants, the governing body of any ambulance or fire protection district may impose a sales tax in an amount up to one-half of one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection

district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

"Shall (insert name of ambulance or fire protection district) impose a sales tax of
(insert amount up to one-half) of one percent for the purpose of providing revenues for the operation of the
(insert name of ambulance or fire protection district) and the total property tax levy on properties in the
(insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?"

☐ Yes

☐ No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

4. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

5. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

6. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Walsh, **House Amendment No. 1** was adopted.

Representative Mayer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1391, Section A, Page 1, Line 2, by inserting the following after all of said line:

“94.070. In addition to the levy aforesaid for general municipal purposes, all cities of the third class are hereby authorized to levy annually not to exceed the following rates of taxation on all property subject to its taxing power for the following special purposes:

(1) For library purposes in the manner and at the rate authorized under the provisions of sections 182.140 to 182.301, RSMo;

(2) For hospitals, public health, and museum purposes [twenty] **thirty** cents on the one hundred dollars assessed valuation; and

(3) For recreational grounds in the manner and at the rate authorized under the provisions of sections 90.500 to 90.570, RSMo.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Mayer, **House Amendment No. 2** was adopted.

Speaker Pro Tem Jetton resumed the Chair.

Representative Skaggs offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1391, Page 1, Section A, Line 8, by inserting immediately after said line the following:

“94.834. 1. The governing body of any city of the third classification with more than twelve thousand four hundred but less than twelve thousand five hundred inhabitants, **the governing body of any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants**, and the governing body of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the fourth classification with more than twenty-three thousand seven hundred but less than twenty-three thousand eight hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ Yes

☐ No

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted pursuant to this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 3** was adopted.

Representative Dougherty offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1391, Section A, Page 1, Line 8 of said page, by inserting after all of said line the following:

"82.850. 1. As used in this section, the following terms mean:

- (1) "Food", all products commonly used for food or drink, including alcoholic beverages;**
- (2) "Food establishment", any cafe, cafeteria, lunchroom, or restaurant which sells food at retail;**
- (3) "Gross receipts", the gross receipts from retail sales of food prepared on the premises and delivered to the purchaser (excluding sales tax);**
- (4) "Person", any individual, corporation, partnership, or other entity;**
- (5) "Tourism-related activities", those activities commonly associated with the development, promotion, and operation of tourism and related facilities for the city, including historic preservation and neighborhood revitalization.**

2. The city council of any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants or any home rule city with more than four hundred thousand inhabitants and located in more than one county may impose a tax on the gross receipts derived from all retail sales of food by every person operating a food establishment situated in the city or a portion thereof. The tax authorized in this section may be imposed in increments of one-eighth of one percent, up to a maximum of two percent of such gross receipts. Such tax shall be in addition to all other sales taxes imposed on such food establishments, and shall be stated separately from all other charges and taxes. Such tax shall not become effective unless the city council, by order or ordinance, submits to the voters of the city a proposal to authorize the city council to impose a tax under this section on any day available for such city to hold municipal elections or at a special election called for the purpose.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the gross receipts derived from the retail sales of food at any food establishment situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of providing funds for the development, promotion, and operation of museum and tourism-related activities and facilities, with (insert rate of percent) percent of such tax dedicated to museum purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted pursuant to this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

4. The tax imposed under this section shall be known as the "Museum and Tourism-Related Activities Tax". Each city imposing a tax under this section shall establish separate trust funds to be known as the "Museum Trust Fund" and the "Tourism-Related Trust Fund". The city treasurer shall deposit the revenue derived from the tax imposed under this section for museum purposes in the museum trust fund, and shall deposit the revenue derived for tourism-related purposes in the tourism-related trust fund. The proceeds of such tax shall

be appropriated by the city council exclusively for the development, promotion, and operation of museum and tourism-related activities and facilities in the city.

5. All applicable provisions in chapter 144, RSMo, relating to state sales tax, and in section 32.057, RSMo, relating to confidentiality, shall apply to the collection of any tax imposed under this section.

6. All exemptions for government agencies, organizations, individuals, and on the sale of certain tangible personal property and taxable services granted under sections 144.010 to 144.525, RSMo, shall be applicable to the imposition and collection of any tax imposed under this section.

7. The same sales tax permits, exemption certificates, and retail certificates required for the administration and collection of state sales tax in chapter 144, RSMo, shall be deemed adequate for the administration and collection of any tax imposed under this section, and no additional permit, exemption certificate, or retail certificate shall be required, provided that the director of the department of revenue may prescribe a form of exemption certificate for an exemption from any tax imposed under this section.

8. Any individual, firm, or corporation subject to any tax imposed under this section shall collect the tax from the patrons of the food establishment, and each such patron of the food establishment shall pay the amount of the tax due to the individual, firm, or corporation required to collect the tax. The city shall permit the individual required to remit the tax to deduct and retain an amount equal to two percent of the taxes collected. The city council may either require the license collector of the city to collect the tax, or may enter into an agreement with the director of the department of revenue to have the director collect the tax on behalf of the city. In the event such an agreement is entered into, the director shall perform all functions incident to the collection, enforcement, and operation of such tax, and shall collect the tax on behalf of the city and shall transfer the funds collected to the city license collector, except for an amount not less than one percent nor more than three percent, which shall be retained by the director for the costs of collecting the tax. If the director is to collect such tax, the tax shall be collected and reported upon such forms and under such administrative rules and regulations as the director may prescribe. All refunds and penalties as provided in sections 144.010 to 144.525, RSMo, are hereby made applicable to violations of this section.

9. It is unlawful for any person to advertise or hold out or state to the public or to any food establishment patron, directly or indirectly, that the tax or any part thereof imposed by this section, and required to be collected by that person, will be absorbed by that person, or anyone on behalf of that person, or that it will not be separately stated and added to the price of the food establishment bill, or if added, that it or any part thereof will be refunded.", and

Further amend said bill, Section 94.838, Page 9, Line 23 of said page, by inserting after all of said line the following:

"144.518. In addition to the exemptions granted pursuant to section 144.030, there is hereby specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, **section 82.850, RSMo**, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections 144.010 to 144.525, and sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, sections 238.235 and 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, and section 644.032, RSMo, and from the computation of the tax levied, assessed or payable pursuant to sections 66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, **section 82.850, RSMo**, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, sections 238.235 and 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, and section 644.032, RSMo, machines or parts for machines used in a commercial, coin-operated amusement and vending business where sales tax is paid on the gross receipts derived from the use of commercial, coin-operated amusement and vending machines."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 4** was adopted.

Representative Barnitz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for for Senate Bill No. 1391, Section 94.838, Page 9, Line 23, by inserting after all of said line the following:

“Section 1. Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the county at a state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnitz, **House Amendment No. 5** was adopted.

On motion of Representative Emery, **HS HCS SB 1391, as amended**, was adopted.

On motion of Representative Emery, **HS HCS SB 1391, as amended**, was read the third time and passed by the following vote:

AYES: 122

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Bringer	Bruns	Byrd	Carnahan
Cooper 120	Corcoran	Crawford	Crowell	Cunningham 145
Curls	Darrough	Daus	Davis 122	Dempsey
Dethrow	Dixon	Dougherty	Emery	Engler
Fares	Fraser	George	Goodman	Graham
Hampton	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jetton
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Quinn	Ransdall	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Selby
Self	Shoemyer	Skaggs	Smith 14	St. Onge

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Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright			

NOES: 034

Bishop	Brooks	Brown	Burnett	Cooper 155
Cunningham 86	Davis 19	Deeken	Donnelly	El-Amin
Ervin	Green	Guest	Harris 110	Harris 23
Henke	Jackson	Johnson 90	Lembke	LeVota
Page	Pratt	Purgason	Roark	Sager
Schneider	Shoemaker	Spreng	Walton	Yaeger
Yates	Young	Zweifel	Madam Speaker	

PRESENT: 001

Dusenberg

ABSENT WITH LEAVE: 006

Avery	Baker	Campbell	Johnson 47	Marsh
Smith 118				

Speaker Pro Tem Jetton declared the bill passed.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House grant further conference on **SS HS HCS HB 978**, as amended.

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HCS HB 855, relating to health insurance, was taken up by Representative Holand.

Speaker Hanaway resumed the Chair.

On motion of Representative Holand, **SS SCS HCS HB 855** was adopted by the following vote:

AYES: 146

Abel	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Deeken	Dempsey	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green

Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	Kingery	Kratky	Kuessner
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Quinn
Ransdall	Reinhart	Richard	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 012

Angst	Bivins	Davis 19	Dethrow	Emery
Lager	Morris	Purgason	Rector	Roark
Shoemaker	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	King	Marsh	Skaggs	St. Onge
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On motion of Representative Holand, **SS SCS HCS HB 855** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Burnett	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Deeken
Dempsey	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Engler	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn

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Ransdall	Reinhart	Richard	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Young	Zweifel	Madam Speaker	

NOES: 014

Angst	Bivins	Davis 19	Dethrow	Emery
Ervin	Lager	Morris	Rector	Roark
Shoemaker	Stevenson	Townley	Yates	

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Byrd	Marsh	St. Onge	Sutherland
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Speaker Hanaway declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HS HCS HB 978, as amended, relating to small business, was taken up by Representative Baker.

Representative Baker moved that the House grant the Senate further conference on **HS HCS HB 978, as amended**.

Which motion was adopted.

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 968 and SCS SB 969, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 968 and SCS SB 969**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **SS HS HCS HB 978, as amended**: Senators Yeckel, Nodler, Scott, Coleman and Caskey.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1277**, entitled:

An act to repeal sections 260.200, 260.270, 260.272, 260.273, 260.274, 260.275, 260.276, 260.278, 260.335, 260.342, 260.370, 260.375, 260.380, 260.475, 260.479, 444.762, 444.765, 444.767, 444.770, 444.787, and 621.015, RSMo, and to enact in lieu thereof twenty-three new sections relating to environmental regulation, with a penalty clause and an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 75, Section 621.250, Line 7 of said page, by striking the word "fifteen" and inserting in lieu thereof the following:

"sixty"; and

Further amend Line 18 of said page, by inserting a beginning bracket "[" immediately after the word "commission"; and

Further amend Line 22 of said page, by inserting an ending bracket "]" immediately after the word "commission"; and

Further amend Lines 22-23 of said page, by striking the words "and legal basis"; and

Further amend said section, Page 76, Line 2 of said page, by striking "department of natural resources" and inserting in lieu thereof the following:

"commission"; and

Further amend Line 4 of said page, by inserting immediately after "6." the following:

"Except as otherwise provided by law"; and

Further amend Line 6 of said page, by inserting immediately after the word "resources" the following:

"or the commission".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 57, Section 260.479, Line 8, by inserting immediately after said line the following:

"260.830. 1. Any county of the third classification or [any county of the second classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants or] any county of the fourth classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants may, by a majority vote of its governing body, impose a landfill fee pursuant to this section and section 260.831, for the benefit of the county. No order or ordinance enacted pursuant to the authority granted by this section shall be effective unless the governing body of the county submits to the qualified voters of the county, at a public election, a proposal to authorize the governing body of the county to impose a fee under the provisions of this section. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a landfill fee of (insert amount of fee per ton or volumetric equivalent of solid waste)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the order or ordinance and any amendments thereto shall become effective on the first day of the calendar quarter immediately after such election results are certified. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the fee authorized by this section unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose such fee, and the proposal is approved by a majority of the qualified voters voting thereon. **With the exception of any county of the fourth classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants,** if an economic development authority does not exist in a county at the time that a landfill fee is adopted by such county under this section, then the governing body of such county shall establish an economic development authority in the county.

2. The landfill fee authorized by such an election may not exceed one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted, which charge may be in addition to any such fee currently imposed pursuant to the provisions of section 260.330.

260.831. 1. Each operator of a solid waste sanitary or demolition landfill in any county wherein a landfill fee has been approved by the voters pursuant to section 260.830 shall collect a charge equal to the charge authorized by the voters in such election, not to exceed one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted. Such fee shall be collected in addition to any fee authorized or imposed pursuant to the provisions of section 260.330, and shall be paid to such operator by all political subdivisions, municipalities, corporations, entities or persons disposing of solid waste or demolition waste, whether pursuant to contract or otherwise, and notwithstanding that any such contract may provide for collection, transportation and disposal of such waste at a fixed fee. Any such contract providing for collections, transportation and disposal of such waste at a fixed fee which is in force on August 28, 2003, shall be renegotiated by the parties to the contract to include the additional fee imposed by this section. Each such operator shall submit the charge, less collection costs, to the governing body of the county, which shall dedicate such funds for use by the industrial development authority within the county and such funds shall be used by the authority for economic development within the county, **except in the case of any county of the fourth classification with more than forty-eight thousand two hundred but less than forty-eight thousand three hundred inhabitants, wherein the funds shall be credited to the county general revenue fund to be expended as prescribed by the county governing body.** Collection costs shall be the same as established by the department of natural resources pursuant to section 260.330, and shall not exceed two percent of the amount collected pursuant to this section.

2. The charges established in this section shall be enumerated separately from any disposal fee charged by the landfill. After January 1, 1994, the fee authorized under section 260.830 and this section shall be stated as a separate surcharge on each individual solid waste collection customer's invoice and shall also name the economic development authority which receives the funds. Moneys transmitted to the governing body of the county shall be no less than the amount collected less collection costs and in a form, manner and frequency as the governing body may prescribe. Failure to collect such charge shall not relieve the operator from responsibility for transmitting an amount equal to the charge to the governing body."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 64, Section 444.770, Lines 6-29 of said page, by striking all of said lines; and

Further amend said bill and section, Page 65 of said page, Lines 1 to 29, by striking all of said lines; and

Further amend said bill and section, Page 66, Lines 1 to 17 of said page, by striking all of said lines and inserting in lieu thereof the following:

"444.770. 1. **Except as provided in this section,** it shall be unlawful for any operator to engage in surface mining without first obtaining from the commission a permit to do so, in such form as is hereinafter provided, including

any operator involved in any **sand and gravel** mining operation where the annual tonnage of **sand and gravel** mined by such operator is less than five thousand tons. **The commission shall establish excavation standards for operators of in-stream sand and gravel mines that are exempt from permitting requirements pursuant to this section. Such excavation standards shall not be more stringent than standards required of operators required to obtain permits. If an operator of an in-stream sand and gravel mine that is exempt from permitting requirements pursuant to this section violates such excavation standards and causes a negative impact on a stream, such operator shall take corrective actions as directed by the commission and the commission shall require such operator to apply for a permit to continue operating at the site of such violations.**

2. Sections 444.760 to 444.790 shall apply only to those areas which are opened on or after January 1, 1972, or to the extended portion of affected areas extended after that date. The effective date of this section for minerals not previously covered under the provisions of sections 444.760 to 444.790 shall be August 28, 1990.

3. All surface mining operations where land is affected after September 28, 1971, which are under the control of any government agency whose regulations are equal to or greater than those imposed by section 444.774, are not subject to the further provisions of sections 444.760 to 444.790, except that such operations shall be registered with the land reclamation commission.

4. Any portion of a surface mining operation which is subject to the provisions of sections 260.200 to 260.245, RSMo, and the regulations promulgated thereunder, shall not be subject to the provisions of sections 444.760 to 444.790, and any bonds or portions thereof applicable to such operations shall be promptly released by the commission, and the associated permits canceled by the commission upon presentation to it of satisfactory evidence that the operator has received a permit pursuant to section 260.205, RSMo, and the regulations promulgated thereunder. Any land reclamation bond associated with such released permits shall be retained by the commission until presentation to the commission of satisfactory evidence that:

(1) The operator has complied with sections 260.226 and 260.227, RSMo, and the regulations promulgated thereunder, pertaining to closure and postclosure plans and financial assurance instruments; and

(2) The operator has commenced operation of the solid waste disposal area or sanitary landfill as those terms are defined in chapter 260, RSMo.

5. [Notwithstanding the provisions of subsection 1 of this section,] Any political subdivision which uses its own personnel and equipment **or contracts for excavation to obtain sand and gravel material solely for the use of such political subdivision** or any private individual for personal use may conduct in-stream **sand and gravel** operations without obtaining from the commission a permit to conduct such an activity. **Any private landowner may contract for in-stream sand and gravel operations and may either personally or through their contractor sell up to a total of two thousand tons of sand and gravel material annually without obtaining a permit from the commission. Any contractor conducting in-stream sand and gravel operations on the behalf of one or more landowner or political subdivision shall not remove more than a total of two thousand tons of sand and gravel material per year from all sources without obtaining a permit from the commission. Any political subdivision or their contractor conducting in-stream sand and gravel operations pursuant to this subsection shall comply with excavation standards and notify the commission of the stream location, dates of operation at the specific location and the name of operator prior to commencing such operations and in a manner as determined by the commission with the preceding information. Such information gathered by the commission shall be used for informational purposes only.**

6. **The commission shall provide information and educational opportunities to inform the public about permit requirements and best mining practices."**; and

Further amend said section, by renumbering the remaining subsections accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 12, Section 260.270, Line 28 of said page, by striking the opening bracket "[" as it appears the second time on said line; and

Further amend said bill and section, Page 13, Line 3 of said page, by striking the closing bracket "]""; and

Further amend said bill and section, Page 14, Lines 23-24 of said page, by striking the following:

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", scrap tire end-user facilities,"; and

Further amend said bill and section, Page 15, Line 13 of said page, by inserting immediately after the word "sites" the following:

", **processing facilities**"; and

Further amend said bill, Section 260.273, Page 19, Line 15 of said page, by striking the words "shall be"; and

Further amend Line 17, by striking the word "and"; and

Further amend said bill and section, Page 20, Line 11 of said page, by striking "5" and inserting in lieu thereof the following:

"**6**"; and

Further amend said bill and section, Page 21, Line 13 of said page, by striking the word "January" and inserting in lieu thereof the following:

"**July**"; and

Further amend said bill, Section 260.275, Page 24, Line 12 of said page, by striking the opening bracket "[", the closing bracket "]", and the word "scrap"; and

Further amend Line 14 of said page, by striking the opening bracket "[", the closing bracket "]", and the word "scrap".

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1277, Page 19, Section 260.273, Line 9 of said page, by striking the word "eighteen" and inserting in lieu thereof the following:

"**nineteen**".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SB 1394, as amended**, and has taken up and passed **CCS HS HCS SB 1394**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS HS HCS HB 978: Representatives Baker, Byrd, St. Onge, Seigfreid and Skaggs

On motion of Representative Crowell, the House recessed until 6:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Hanaway.

BILL CARRYING REQUEST MESSAGE

HS SS SCS SBs 1233, 840 & 1043, as amended, relating to motor vehicles, was taken up by Representative Crawford.

Representative Crawford moved that the House refuse to recede from its position on **HS SS SCS SBs 1233, 840 & 1043, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences to address the issue of racial profiling.

Which motion was adopted.

THIRD READING OF SENATE BILL

SCS SB 987, as amended, with House Amendment No. 3, pending, relating to water district boundaries, was again taken up by Representative Johnson (47).

House Amendment No. 3 was withdrawn.

Representative Johnson (47) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 987, Section 247.165, Pages 4-7, by deleting said section from the bill; and

Further amend said substitute by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 4** was adopted.

Representative Rector offered **House Amendment No. 5**.

Representative Johnson (47) raised a point of order that **House Amendment No. 5** amends previously amended material.

The Chair ruled the point of order untimely.

House Amendment No. 5 was withdrawn.

SCS SB 987, as amended, was laid over.

HCS SCS SB 845, relating to a memorial highway; state park system, was taken up by Representative Jackson.

HCS SCS SB 845 was laid over.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS SS SCS SBs 1233, 840 & 1043: Representatives Crawford, Schlottach, Smith (14), Bland and Boykins

Speaker Pro Tem Jetton resumed the Chair.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SS SCS SBs 1233, 840 & 1043, as amended:** Senators Dolan, Bland, Days, Nodler and Griesheimer.

VETOED HOUSE BILL

CCS SS#2 SS SCS HS HCS HB 1304, relating to tort reform, was taken up by Representative Byrd.

Representative Byrd moved that **CCS SS#2 SS SCS HS HCS HB 1304** be passed, objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 097

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hampton	Harris 110	Hobbs	Holand	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Kelly 144	Kelly 36	King	Kingery	Lager
Lawson	Lembke	Lipke	Luetkemeyer	May
Mayer	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Seigfreid
Selby	Self	Shoemaker	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland

Threlkeld	Townley	Viebrock	Wallace	Wasson
Whorton	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 062

Abel	Bishop	Bland	Boykins	Brooks
Burnett	Campbell	Carnahan	Corcoran	Curls
Darrough	Daus	Davis 122	Donnelly	Dougherty
El-Amin	Fraser	George	Graham	Green
Harris 23	Haywood	Henke	Hilgemann	Hoskins
Johnson 61	Johnson 90	Jolly	Jones	Kratky
Kuessner	LeVota	Liese	Lowe	McKenna
Meadows	Muckler	Parker	Ransdall	Sager
Salva	Schneider	Schoemehl	Shoemyer	Spreng
Swinger	Thompson	Villa	Vogt	Wagner
Walker	Walsh	Walton	Ward	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bough	Marsh	Taylor
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Representative Yates requested a verification of the roll call on the motion to pass **CCS SS#2 SS SCS HS HCS HB 1304**, the objections of the Governor notwithstanding.

Speaker Hanaway resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SB 807, relating to civil actions, was taken up by Representative Lembke.

Representative Burnett offered **House Amendment No. 1**.

Representative Byrd raised a point of order that **House Amendment No. 1** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Dempsey assumed the Chair.

Representative Lembke moved that **HCS SB 807** be adopted.

Which motion was defeated.

Speaker Pro Tem Jetton resumed the Chair.

On motion of Representative Lembke, **SB 807** was truly agreed to and finally passed by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Roark	Ruestman	Rupp	Sager	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 002

Salva Whorton

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Lawson	Marsh	McKenna	Reinhart
Stefanick				

Speaker Pro Tem Jetton declared the bill passed.

SCS SB 987, as amended, relating to water district boundaries, was again taken up by Representative Johnson (47).

Representative Rector offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Committee Substitute for Senate Bill No. 987, Section 247.040, Page 4, Line 106, by inserting the following after all of said line:

"Section 1. When an entity considering or proposing the construction of a multiresidential or commercial development, which is located within the city limits of a city owning a waterworks and also located within the boundaries of a public water supply district, makes an inquiry of the city administrator respecting the supply of water service to such construction project, the city shall notify the public water supply district of such inquiry. Such notification shall be within ten days of the initial inquiry of the city administrator, shall be by certified mail, and shall state the location of such construction project to the extent the city administrator is aware of such.";
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rector, **House Amendment No. 6** was adopted.

Representative Brown offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Committee Substitute for Senate Bill No. 987, Page 2, Section 247.040, Line 21, by deleting "**two miles**" and inserting in lieu thereof "**one mile**"; and

Further amend said section and page, Line 43, by deleting "**two miles**" and inserting in lieu thereof "**one mile**".

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 7**.

Representative Yates raised a point of order that **House Amendment No. 1 to House Amendment No. 7** is not a true amendment and goes beyond the scope of the underlying amendment.

The Chair ruled the point of order well taken.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector

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Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Whorton	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Lawson	Marsh	McKenna
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On motion of Representative Brown, **House Amendment No. 7** was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Icet	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick

Stevenson	Sutherland	Taylor	Threlkeld	Townley
Viebrock	Wallace	Wasson	Whorton	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 069

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	LeVota	Liese	Lowe	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Wildberger	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Lawson	Marsh	McKenna
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Speaker Hanaway resumed the Chair.

On motion of Representative Johnson (47), **SCS SB 987, as amended**, was read the third time and passed by the following vote:

AYES: 125

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Brooks	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	Goodman	Graham
Guest	Hampton	Haywood	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Lager	Lembke
Liese	Lipke	Lowe	Luetkemeyer	May
Mayer	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Wagner
Wallace	Walton	Ward	Wasson	Whorton

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Wildberger	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yates	Madam Speaker

NOES: 033

Barnitz	Bishop	Bringer	Burnett	Darrough
Daus	Donnelly	El-Amin	George	Green
Harris 110	Harris 23	Henke	Hilgemann	Hoskins
Hubbard	Johnson 90	Kuessner	LeVota	Meadows
Muckler	Ransdall	Selby	Shoemyer	Spreng
Villa	Vogt	Walker	Walsh	Willoughby
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Lawson	Marsh	McKenna	Thompson
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Speaker Hanaway declared the bill passed.

SB 1344, relating to a Joint Committee on Economic Development, was taken up by Representative Dempsey.

Representative Dempsey offered **HS SB 1344**.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 1344, Page 2, Section 64.930, Line 14, by inserting after the word "predecessors." an open bracket "["; and

Further amend said page, Line 16, by inserting after all of said line a closing bracket "]".

On motion of Representative Dempsey, **House Amendment No. 1** was adopted.

Representative Cooper (120) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for Senate Bill No. 1344, Section 620.602, Page 13, Line 6, by inserting before all of said line the following:

"262.217. Effective September 1, 1995, there is created a "State Fair Commission" whose domicile for the purposes of sections 262.215 to 262.280 shall be the department of agriculture of this state. The commission shall consist of nine members, two of whom shall be active farmers, two of whom shall be either current members or past presidents of county or regional fair boards, one of whom shall be the director of the department of agriculture, one of whom shall be employed in agribusiness, and three at-large members who shall be Missouri residents. The director of the department of agriculture shall be the chairman of the commission until January 31, 1997, and shall not be counted against membership from a congressional district, at which time the chairman shall be elected from among the members of the commission by the commission members. Such officer shall serve for a term of two years. Commissioners shall be reimbursed for their actual and necessary expenses incurred when attending meetings of the commission, to be paid from

appropriations made therefor. Commissioners shall be appointed by the governor, with the advice and consent of the senate. The county fair association in the state may submit to the governor a list of nominees for appointment, three from each congressional district, for those commission members who are required to be current members or past presidents of county fair boards. Not more than four commissioners excluding the director of agriculture shall be members of the same political party. Each commissioner shall be a resident of the state for five years prior to his appointment. The eight initial commissioners shall be appointed as follows: two shall be appointed for terms of one year, two for terms of two years, two for terms of three years and two for terms of four years. Their successors shall be appointed for terms of four years. A commissioner shall continue to serve until his successor is appointed and qualified. Whenever any vacancy occurs on the commission, the governor shall fill the vacancy by appointment for the remainder of the term of the commissioner who was replaced. [There shall be no more than two commission members from any congressional district.]"; and

Further amend said bill, Section 620.602, Page 15, Line 2, by inserting after all of said line the following:

“Section B. Because of the need for the State Fair Commission to better serve the citizens of this state, section 262.217 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 2** was adopted.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Hunter	Iceet	Jackson	Jetton	Johnson 47
Kelly 144	King	Kingery	Lager	Lembke
Lipke	Luetkemeyer	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yates	Madam Speaker		

NOES: 068

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood

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Henke	Hilgemann	Hubbard	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Kratky	Kuessner
LeVota	Liese	Lowe	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfreid	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt
Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Witte
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Davis 19	Holand	Hoskins	Lawson
Marsh	McKenna			

On motion of Representative Dempsey, **HS SB 1344, as amended**, was adopted.

On motion of Representative Dempsey, **HS SB 1344, as amended**, was read the third time and passed by the following vote:

AYES: 128

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrouh	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George
Goodman	Graham	Guest	Harris 23	Haywood
Hilgemann	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	King	Kingery
Kratky	Lager	Lembke	Liese	Lipke
Lowe	Luetkemeyer	May	Mayer	Meiners
Miller	Moore	Morris	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Witte	Wood	Wright
Yates	Zweifel	Madam Speaker		

NOES: 030

Burnett	Daus	Davis 122	Donnelly	Dougherty
Fraser	Green	Hampton	Harris 110	Henke
Hoskins	Johnson 90	Kelly 36	Kuessner	LeVota
Meadows	Muckler	Ransdall	Sager	Schoemehl

Seigfreid
Walton

Selby
Whorton

Shoemyer
Wilson 25

Villa
Yaeger

Vogt
Young

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery

Brown

Lawson

Marsh

McKenna

Speaker Hanaway declared the bill passed.

SB 966, relating to temporary employees, was taken up by Representative Smith (118).

Representative St. Onge offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 966, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal section 288.397 as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to"; and

Further amend said bill, Page 1, Section A, Lines 1 to 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 288.397, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, is repealed, and four new sections enacted in lieu thereof, to be known as sections 288.401, 288.501, 288.502, and 1 to read as follows:"; and

Further amend said bill, Page 1, Section 288.401, Line 14, by inserting after all of said line the following:

"288.501. 1. There is hereby created a "Missouri State Unemployment Council". The council shall consist of nine appointed voting members and two appointed nonvoting members. All appointees shall be persons whose training and experience qualify them to deal with the difficult problems of unemployment compensation, particularly legal, accounting, actuarial, economic, and social aspects of unemployment compensation.

(1) Three voting members shall be appointed to the council by the governor. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation.

(2) Three voting members and one nonvoting member shall be appointed to the council by the speaker of the house of representatives. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers that employ twenty or less employees. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the house of representatives.

(3) Three voting members and one nonvoting member shall be appointed to the council by the president pro tem of the senate. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employers. One voting member shall be appointed on account of his or her vocation, employment, or affiliations being classed as representative of employees. One voting member

shall be appointed to represent the public interest separate from employee or employer representation. One nonvoting member shall be appointed from the senate.

2. The council shall organize itself and select a chairperson or co-chairpersons and other officers from the nine voting members. Six voting members shall constitute a quorum and the council shall act only upon the affirmative vote of at least five of the voting members. The council shall meet no less than four times yearly. Members of the council shall serve without compensation, but are to be reimbursed the amount of actual expenses. Actual expenses shall be paid from the special employment security fund under section 288.310.

3. The division shall provide professional and clerical assistance as needed for regularly scheduled meetings.

4. Each nonvoting member shall serve for a term of four years or until he or she is no longer a member of the general assembly whichever occurs first. A nonvoting member's term shall be a maximum of four years. Each voting member shall serve for a term of three years. For the initial appointment, the governor-appointed employer representative, the speaker of the house-appointed employee representative, and the president pro tem of the senate-appointed public interest representative shall serve an initial term of one year. For the initial appointment, the governor-appointed employee representative, the speaker of the house-appointed public interest representative, and the president pro tem of the senate-appointed employer representative shall serve an initial term of two years. At the end of a voting member's term he or she may be reappointed; however, he or she shall serve no more than two terms excluding the initial term for a maximum of eight years.

5. The council shall advise the division in carrying out the purposes of this chapter. The council shall submit annually by January fifteenth to the governor and the general assembly its recommendations regarding amendments of this chapter, the status of unemployment insurance, the projected maintenance of the solvency of unemployment insurance, and the adequacy of unemployment compensation.

6. The council shall present to the division every proposal of the council for changes in this chapter and shall seek the division's concurrence with the proposal. The division shall give careful consideration to every proposal submitted by the council for legislative or administrative action and shall review each legislative proposal for possible incorporation into department of labor and industrial relations recommendations.

7. The council shall have access to only the records of the division that are necessary for the administration of this chapter and to the reasonable services of the employees of the division. It may request the director or any of the employees appointed by the director or any employee subject to this chapter, to appear before it and to testify relative to the functioning of this chapter and to other relevant matters. The council may conduct research of its own, make and publish reports, and recommend to the division needed changes in this chapter or in the rules of the division as it considers necessary.

8. The council, unless prohibited by a concurrent resolution of the general assembly, shall be authorized to commission an outside study of the solvency, adequacy, and staffing and operational efficiency of the Missouri unemployment system. The study shall be conducted every five years, the first being conducted in fiscal year 2005. The study shall be funded subject to appropriation from the special employment security fund under section 288.310.

288.502. If any provision of this act is found by a court of competent jurisdiction to be invalid or unconstitutional it is the stated intent of the legislature that the legislature would have approved the remaining portions of the act, and the remaining portions of the act shall remain in full force and effect.

Section 1. For purposes of section 288.330, RSMo, as contained in senate substitute no. 2 for senate committee substitute for house substitute for house committee substitute for house bill nos. 1268 and 1211, ninety-second general assembly, second regular session, the revisor of statutes shall renumber subdivision (16) of subsection 2 of such section as subdivision (17) of such subsection and renumber subdivision (17) of subsection 2 of such section as subdivision (16) of such subsection.

[288.397. The division shall send on or before September 30, 2004, to all employing units a report containing a summary of changes enacted in this act including but not limited to changes in the tax rate, contribution rate, taxable wage base, temporary solvency charges, benefit or eligibility charges, and other pertinent information to enable the employing units to comply with the changes made.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 1** was adopted by the following vote:

AYES: 137

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Guest	Hampton
Harris 110	Harris 23	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Wagner	Walker
Wallace	Walsh	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 017

Barnitz	Bringer	Burnett	El-Amin	Green
Haywood	Henke	Jones	LeVota	Myers
Seigfreid	Selby	Skaggs	Vogt	Walton
Ward	Wilson 25			

PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 007

Avery	Graham	Hunter	Lawson	Marsh
McKenna	Sager			

On motion of Representative Smith (118), **SB 966, as amended**, was read the third time and passed by the following vote:

AYES: 146

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Brooks	Brown	Bruns
Burnett	Byrd	Campbell	Carnahan	Cooper 120

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Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Ice	Jackson	Jetton
Johnson 47	Johnson 90	Jolly	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lembke	Liese	Lipke	Lowe	Luetkemeyer
May	Mayer	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 010

Barnitz	Bringer	El-Amin	Green	Jones
LeVota	Seigfreid	Selby	Vogt	Ward

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 006

Avery	Hunter	Lawson	Marsh	McKenna
Sager				

Speaker Hanaway declared the bill passed.

**CONFERENCE COMMITTEE REPORT NO. 3
ON
SENATE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 978**

The Conference Committee appointed on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 978;
3. That the attached Conference Committee Substitute No. 3 for Senate Substitute for House Substitute for House Committee Substitute for House Bill No. 978, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Anita Yeckel
/s/ Sen. Gary Nodler
/s/ Sen. Delbert Scott
/s/ Sen. Maida Coleman
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Neal St. Onge
/s/ Rep. Brian Baker
/s/ Rep. Richard Byrd
/s/ Rep. James Seigfreid
/s/ Rep. Trent Skaggs

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1182**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, with Senate Amendment Nos. 1, 2, 3, 4, & 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1182;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1182, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Rep. Brian Munzlinger
/s/ Rep. Jim Guest
/s/ Rep. Steve Hobbs
/s/ Rep. Wes Shoemyer
/s/ Rep. Wayne Henke

FOR THE SENATE:

/s/ Sen. David Klindt
/s/ Sen. John Cauthorn
/s/ Sen. Delbert Scott
/s/ Sen. Joan Bray
/s/ Sen. James Mathewson

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1453**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 8, 9, 11, 13, 14, 15, 16, and 17, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1453;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1453, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Charles Shields
/s/ Sen. Norma Champion
/s/ Sen. Sarah Steelman
/s/ Sen. Patrick Dougherty
/s/ Sen. Charles Wheeler

FOR THE HOUSE:

/s/ Rep. Catherine Hanaway
/s/ Rep. Bryan Stevenson
/s/ Rep. Mark Wright
/s/ Rep. Vicky Riback Wilson
/s/ Rep. Daniel Bishop

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1548**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1548, with Senate Amendment Nos. 1, 2, 3, & 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1548, as amended;
2. That House recede from its position on House Bill No. 1548;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1548, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. John Cauthorn
/s/ Sen. David Klindt
/s/ Sen. Carl Vogel
/s/ Sen. Harold Caskey
/s/ Sen. Patrick Dougherty

FOR THE HOUSE:

/s/ Rep. Bill Deeken
/s/ Rep. Larry Crawford
/s/ Rep. Richard Byrd
/s/ Rep. James Seigfreid
/s/ Rep. Gina Walsh

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 758**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 758;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. John Griesheimer
/s/ Sen. Peter Kinder
/s/ Sen. Doyle Childers
/s/ Sen. Rita Heard Days
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Brian D. Nieves
/s/ Rep. Shannon Cooper
/s/ Rep. Mike Sutherland
/s/ Rep. Michael George Corcoran
/s/ Rep. Thomas Villa

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE BILL NO. 762**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, with House Amendment Nos. 1, 2, 3, 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment Nos. 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, as amended;
2. That the Senate recede from its position on Senate Committee Substitute No. 2 for Senate Bill No. 762;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 762, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Norma Champion
/s/ Sen. Charles Shields
/s/ Sen. Sarah Steelman
/s/ Sen. Patrick Dougherty
/s/ Sen. Charles Wheeler

FOR THE HOUSE:

/s/ Rep. Catherine Hanaway
/s/ Rep. Bryan Stevenson
/s/ Rep. Mark Wright
/s/ Rep. Vicky Riback Wilson
/s/ Rep. Daniel Bishop

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 968
AND
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 969**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 968 and Senate Committee Substitute for Senate Bill No. 969, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Charles Shields
/s/ Sen. Bill Foster
/s/ Sen. Matt Bartle
/s/ Sen. Harold Caskey
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Brian Baker
/s/ Rep. Maynard Wallace
/s/ Rep. D.J. Davis
/s/ Rep. Ed Wildberger

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 1020, 889 & 869**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, with House Amendment Nos. 1, 5, 6, 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1020, 889 & 869, be Third Read and Finally Passed.

FOR THE SENATE:

_____/s/ Sen. Sarah Steelman
_____/s/ Sen. Norma Champion
_____/s/ Sen. John Griesheimer
_____/s/ Sen. Wayne Goode
_____/s/ Sen. Ed Quick

FOR THE HOUSE:

/s/ Rep. Jack Goodman
/s/ Rep. Charles Schlottach
/s/ Rep. Robert Harris
/s/ Rep. Paul LeVota

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 1233, 840 & 1043**

The Conference Committee appointed on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, with House Amendment Nos. 1, 2, 3, 4, 6, 7, 8 and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the attached Conference Committee Amendment No. 1 be adopted;
2. That the House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, with House Amendment No. 1, 2, 3, 4, 6, 7, 8 and 9, and Conference Committee Amendment No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Jon Dolan
/s/ Sen. Rita Days
/s/ Sen. Mary Bland
/s/ Sen. John Griesheimer
/s/ Sen. Gary Nodler

FOR THE HOUSE:

/s/ Rep. Larry Crawford
/s/ Rep. Charles Schlottach
/s/ Rep. Joe Smith
/s/ Rep. Craig Bland
/s/ Rep. Amber Boykins

Conference Committee Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1233, 840 & 1043, Page 358, Section 577.080, Line 14 of said page, by inserting immediately after said line the following:

“590.650. 1. As used in this section “minority group” means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle [for a violation of any motor vehicle statute or ordinance], that officer shall report the following information to the law enforcement agency that employs the officer:

- (1) The age, gender and race or minority group of the individual stopped;
- (2) The [traffic violation or violations alleged to have been committed that led to] **reasons for** the stop;
- (3) Whether a search was conducted as a result of the stop;
- (4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person’s property was searched, and the duration of the search;
- (5) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;
- (6) Whether any warning or citation was issued as a result of the stop;
- (7) If a warning or citation was issued, the violation charged or warning provided;
- (8) Whether an arrest was made as a result of either the stop of the search;
- (9) If an arrest was made, the crime charged; and

(10) The location of the stop.

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of criminal law; and

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.

8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section."; and

Further amend the title and enacting clause accordingly.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1394**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Bill No. 1394, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 1394, as amended;
2. That the Senate recede from its position on Senate Bill No. 1394;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 1394, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Carl Vogel
/s/ Sen. Matt Bartle
/s/ Sen. John Griesheimer
/s/ Sen. Victor Callahan
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Shannon Cooper
/s/ Rep. Allen Icet
/s/ Rep. Mike Sutherland
/s/ Rep. John Burnett
/s/ Rep. Terry Young

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HBs 795, 972, 1128 & 1161, as amended**, and has taken up and passed **CCS SS SCS HCS HBs 795, 972, 1128 & 1161**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #2 on **SCS HCS HB 959, as amended**, and has taken up and passed **CCS#2 SCS HCS HB 959**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HCS HB 1055, as amended**, and has taken up and passed **CCS SS HCS HB 1055**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1099**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCR 32** and has taken up and adopted **HCS SCR 32**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SCS SB 1155, as amended**, and has taken up and passed **HS SCS SB 1155, as amended**.

On motion of Representative Crowell, the House adjourned until 9:00 a.m., Friday, May 14, 2004.

Correct House Journal, Sixty-eighth Day, Wednesday, May 12, 2004, Page 1743, Line 16,
by inserting immediately after said line, the following:

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS SB 932, as amended**: Senators Loudon, Cauthorn, Bartle, Callahan and Quick.

I, State Representative Bob Bennen, District 2, hereby state and affirm that my vote as recorded on Page 1745 of the House Journal for Wednesday, May 12, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

/s/ Bob Behnen
State Representative

[illegible]

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Amber H. Boykins, District 60, hereby state and affirm that my votes as recorded on Pages 1745, 1747, 1749, and 1804 of the House Journal for Wednesday, May 12, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

/s/ Amber H. Boykins
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my vote as recorded on Page 1745 of the House Journal for Wednesday, May 12, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my vote as recorded on Page 1745 of the House Journal for Wednesday, May 12, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

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IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

/s/ Curt Dougherty
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Theodore Hoskins, District 80, hereby state and affirm that my vote as recorded on Page 1800 of the House Journal for Wednesday, May 12, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

/s/ Theodore Hoskins
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Steve Hunter, District 127, hereby state and affirm that my votes as recorded on Pages 1745 and 1747 of the House Journal for Wednesday, May 12, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

/s/ Steve Hunter
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

[illegible]

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

[illegible]

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

[illegible]

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Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Viebrock, District 134, hereby state and affirm that my vote as recorded on Page 1749 of the House Journal for Wednesday, May 12, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2004.

/s/ Jim Viebrock
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETING

BUDGET

Friday, May 14, 2004, 8:00 a.m. Hearing Room 3.

Possible Executive session. Other bills as assigned or referred for fiscal review.

HOUSE CALENDAR

SEVENTIETH DAY, FRIDAY, MAY 14, 2004

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 28 - Roark (139)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1105, 1062, 1111, 1113 & 1119 - Crawford (117)
- 2 HCS HB 1380 - Lager (4)
- 3 HB 1092 - Deeken (114)
- 4 HCS HB 843, 880 & 1042 - Angst (146)
- 5 HB 1424 - Stefanick (93)
- 6 HB 1302 - Lager (4)
- 7 HCS HB 1085, HA 6 and HS, as amended, pending - Townley (112)
- 8 HB 1337 - Nieves (98)
- 9 HCS HB 1243, 1094 & 931 - Mayer (159)

- 10 HCS HB 1267 - Cooper (120)
- 11 HB 1408 - Mayer (159)
- 12 HCS HB 1671 - Hanaway (87)
- 13 HB 881 - Bruns (113)
- 14 HCS HB 957 - Cunningham (145)
- 15 HCS HB 1702 - Thompson (72)
- 16 HCS HB 1480 - Rupp (13)
- 17 HCS HB 1467 & 903 - Sutherland (99)
- 18 HB 1626 - Stevenson (128)
- 19 HB 1547 - Wood (62)
- 20 HB 1678 - St. Onge (88)

HOUSE BILL FOR THIRD READING

HCS HB 1181 & 1719, (Budget 5-04-04) - Selby (105)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 1524 - Ransdall (148)
- 2 HCS HB 1069 - Bivins (97)

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

- 1 HCS SCR 35, (5-12-04, Pages 1807-1808) - Kelly (144)
- 2 SCR 51, (5-12-04, Pages 1809-1810) - Goodman (132)

SENATE JOINT RESOLUTIONS FOR THIRD READING

- 1 SJR 29 - Engler (106)
- 2 SCS SJR 44 - Crawford (117)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 772 - Daus (67)
- 2 SB 894 - Dusenberg (54)
- 3 SCS SB 962 - Lager (4)
- 4 SCS SB 974 - Rupp (13)
- 5 SCS SB 1188, E.C. - Luetkemeyer (115)
- 6 SCS SB 1212 - Johnson (47)
- 7 SCS SB 1215 - Dixon (140)
- 8 SB 781 - Byrd (94)
- 9 SB 883 - Lager (4)
- 10 SCS SB 1044 - Pearce (121)
- 11 HCS SCS SB 771 - Daus (67)
- 12 SCS SB 1075 - Jones (63)

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- 13 SB 1296 - Dougherty (53)
- 14 HCS SCS SB 1336 - Bruns (113)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 754 - Luetkemeyer (115)
- 2 HCS SCS SBs 1144, 919 & 874, E.C. - Schlottach (111)
- 3 SS SS SCS SB 715 - Johnson (47)
- 4 HCS SCS SB 1038 - Luetkemeyer (115)
- 5 HCS SS SS SCS SB 1371 - Threlkeld (109)
- 6 SCS SB 1062 - Johnson (47)
- 7 SCS SB 1045 - Haywood (71)
- 8 SB 783, E.C. - Smith (118)
- 9 SCS SB 700, (Budget 5-06-04) - Angst (146)
- 10 SCS SB 827 - Byrd (94)
- 11 SB 1007 - Byrd (94)
- 12 HCS SS SCS SB 1034 - Marsh (136)
- 13 SB 1229 - Mayer (159)
- 14 SCS SB 1240 - Schlottach (111)
- 15 SCS SB 1262 - Engler (106)
- 16 HCS SCS SB 845 - Jackson (89)
- 17 HCS SB 900 - Schlottach (111)
- 18 HCS SCS SB 1225 - Hubbard (58)
- 19 HCS SB 1323 - Purgason (151)
- 20 HCS SCS SB 710 - Dusenbergl (54)
- 21 SB 1153, HCA 1 - Hobbs (21)
- 22 HCS SS SCS SB 1183 - Johnson (47)
- 23 SCS SB 961 - Luetkemeyer (115)
- 24 HCS SCS SB 1116 - Pearce (121)
- 25 HCS SCS SBs 1027 & 896 - Behnen (2)
- 26 SCS SB 810 - Ervin (35)
- 27 HCS SS SB 1023 - Threlkeld (109)
- 28 SB 1064 - Cunningham (145)
- 29 HCS SB 1076 - Byrd (94)
- 30 HCS SCS SB 1171, E.C. - Jackson (89)
- 31 HCS SCS SB 1220 - Sutherland (99)

SENATE BILL FOR THIRD READING - REVISION

- SRB 1108 - Crowell (158)

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

- SCS SB 1096 - Sutherland (99)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1040 and HCS HB 1041, as amended, with motion requesting Senate
recede/grant conference, pending, E.C. - Cunningham (86)
- 2 SCS HCS HB 1177, as amended - Guest (5)
- 3 SS HS HCS HB 1511, as amended - Byrd (94)
- 4 SS HS HCS HB 1207, as amended - Icet (84)
- 5 SCS HS HB 1193 - Self (116)
- 6 SCS HCR 21, (5-07-04, Pages 1633 - 1634) - Ruestman (131)
- 7 HCS HB 1093, SA 1 - Deeken (114)
- 8 HS HCS HB 1433, SA 1 - Wood (62)
- 9 SCS HS HB 1599, as amended - Ervin (35)
- 10 SS#2 SCS HS HCS HB 1268 & 1211, as amended, E.C. - Smith (118)
- 11 SS HS HCS HB 1285 - Engler (106)
- 12 SCS HCS HB 1403 - Moore (20)
- 13 SCS HB 841, as amended - Angst (146)
- 14 SS#2 HCS HB 980, as amended - Myers (160)
- 15 SS SCS HCS HB 946, 1106 & 952, as amended, E.C. - Crawford (117)
- 16 SS SCS HCS HB 1277, as amended, E.C. - Townley (112)

BILLS IN CONFERENCE

- 1 CCR#2 HCS SB 739, as amended - Myers (160)
- 2 CCR HS HCS SCS#2 SB 762, as amended, E.C. - Hanaway (87)
- 3 CCR HCS SCS SB 1106, (exceed differences), E.C. - Schaaf (28)
- 4 CCR HS HCS SS SCS SB 1081, as amended, (exceed differences) - Pratt (55)
- 5 HS SB 932, as amended - Wilson (130)
- 6 CCR HCS SB 884 - Lager (4)
- 7 CCR HCS SCS SB 758, E.C. - Nieves (98)
- 8 CCR HS HCS SCS SBs 1020, 889 & 869, as amended, E.C. - Goodman (132)
- 9 CCR HS HCS SS SCS SB 968 and SCS SB 969, as amended, E.C. - Baker (123)
- 10 CCR SS SCS HCS HB 1182, as amended, E.C. - Munzlinger (1)
- 11 CCR SS SCS HS HCS HB 1453, as amended, E.C. - Hanaway (87)
- 12 CCR SCS HB 1548, as amended - Crawford (117)
- 13 CCR HS HCS SB 1394, as amended, E.C. - Cooper (120)
- 14 CCR#3 SS HS HCS HB 978, as amended - Baker (123)
- 15 CCR HS SS SCS SBs 1233, 840 & 1043, as amended, (exceed differences), E.C. -
Crawford (117)

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VETOED HOUSE BILL

HCR 5 - Byrd (94)

HOUSE RESOLUTION

HR 2913, (5-12-04, Pages 1808-1809) - Dixon (140)

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SEVENTIETH DAY, FRIDAY, MAY 14, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Reverend Donald W. Lammers.

God our Father, thank You for bringing us to this day, the last day of the 2004 Spring Session of the Missouri House of Representatives. We thank You for the important things we have been able to accomplish. We thank You for everything we have been able to do to advance the common good.

At 6:00 p.m. this evening, we will be able to say, "we have finished our work." We remember those serving in Iraq and other points East whose work is not finished. This evening, tomorrow and everyday, may Your Spirit guide us to pray for them.

We pray especially for those in greatest danger and those enduring the greatest privation. Turn all their efforts to good. Protect them from injury and death. Turn hearts away from violence so that killing stops and negotiation greatly increases.

We thank You for the support of our families and of those we represent throughout this 2004 Session.

We pray to You, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was led by 1st Lt. Janet Wunderlich, United States Army Reserves.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ali Watson, Gary Stilwell, Hunter C. Wilson, Cynthia Youmans, Ella Youmans and Cecelia Youmans.

The Journal of the sixty-ninth day was approved as corrected.

Speaker Pro Tem Jetton assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3075 - Representative Mayer
House Resolution No. 3076
and
House Resolution No. 3077 - Representative Emery
House Resolution No. 3078 - Representative Portwood

House Resolution No. 3079 - Representative Roark
House Resolution No. 3080 - Representative Kratky
House Resolution No. 3081 - Representative Wildberger
House Resolution No. 3082 - Representative Smith (14)
House Resolution No. 3083
through
House Resolution No. 3086 - Representatives Dempsey and Bearden
House Resolution No. 3087 - Representative Hobbs
House Resolution No. 3088 - Representative Muckler
House Resolution No. 3089
and
House Resolution No. 3090 - Representative Seigfreid
House Resolution No. 3091 - Representative Townley
House Resolution No. 3092 - Representative Fares
House Resolution No. 3093
and
House Resolution No. 3094 - Representative Townley
House Resolution No. 3095 - Representative Sander
House Resolution No. 3096 - Representative Wildberger
House Resolution No. 3097 - Representative Sutherland
House Resolution No. 3098 - Representative Boykins
House Resolution No. 3099 - Representative Walton
House Resolution No. 3100 - Representative Black
House Resolution No. 3101 - Representative Quinn
House Resolution No. 3102 - Representative Crowell
House Resolution No. 3103
and
House Resolution No. 3104 - Representative Fraser
House Resolution No. 3105 - Representative Bough
House Resolution No. 3106
and
House Resolution No. 3107 - Representative Lager

BILLS IN CONFERENCE

CCR SS SCS HS HCS HB 1453, as amended, relating to foster care, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **CCR SS SCS HS HCS HB 1453, as amended**, was adopted by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan

Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 004

Bringer	Daus	Donnelly	Vogt
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PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Schaaf
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On motion of Representative Hanaway, **CCS SS SCS HS HCS HB 1453** was read the third time and passed by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King

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Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 004

Bringer	Daus	Donnelly	Vogt
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Schaaf	Sutherland
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Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Brooks	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Haywood	Henke	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schlottach	Schneider

Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 007

Bringer	Burnett	Daus	Hoskins	Sager
Skaggs	Vogt			

PRESENT: 001

Harris 23

ABSENT WITH LEAVE: 003

Avery	Nieves	Schaaf
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Speaker Hanaway resumed the Chair.

CCR HS HCS SS SCS SB 1081, as amended, relating to residential construction, was taken up by Representative Pratt.

On motion of Representative Pratt, **CCR HS HCS SS SCS SB 1081, as amended**, was adopted by the following vote:

AYES: 143

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Harris 23	Henke	Hobbs
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge

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Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 018

Brooks	Burnett	Curls	Donnelly	El-Amin
Green	Haywood	Hilgemann	Hoskins	Johnson 61
Johnson 90	Sager	Selby	Villa	Walker
Wilson 25	Wilson 42	Witte		

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Holand
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On motion of Representative Pratt, **CCS HS HCS SS SCS SB 1081** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Darrough	Daus	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Guest	Hampton	Harris 110
Harris 23	Henke	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 017

Brooks	Burnett	Cunningham 86	Curls	Donnelly
El-Amin	Green	Haywood	Hilgemann	Hoskins
Johnson 90	Sager	Selby	Villa	Walker
Wilson 25	Witte			

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 003

Avery	Emery	Shoemaker
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Speaker Hanaway declared the bill passed.

CCR HCS SCS SB 1106, relating to conveyances in Buchanan County, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **CCR HCS SCS SB 1106** was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger

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Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Harris 23	LeVota
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Rector	Smith 118
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On motion of Representative Schaaf, **CCS HCS SCS SB 1106** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 005

Daus	Green	Hoskins	LeVota	Young
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Pearce Smith 118 Wasson

Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Smith 118

CCR HCS SB 884, relating to republication of statutes, was taken up by Representative Lager.

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On motion of Representative Lager, **CCR HCS SB 884** was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Barnitz	Johnson 61	Nieves	Wilson 25
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On motion of Representative Lager, **CCS HCS SB 884** was truly agreed to and finally passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey

Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Goodman Reinhart

Speaker Hanaway declared the bill passed.

CCR HCS SCS SB 758, relating to local taxes, was taken up by Representative Nieves.

On motion of Representative Nieves, **CCR HCS SCS SB 758** was adopted by the following vote:

AYES: 129

Abel	Angst	Bean	Bearden	Behnen
Bivins	Black	Bland	Bough	Boykins
Brooks	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Curls	Darrough	Daus
Davis 122	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Emery	Engler	Fares	Fraser
George	Goodman	Guest	Hampton	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May

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Mayer	McKenna	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Richard
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Seigfreid	Selby
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yates	Young	Madam Speaker	

NOES: 028

Barnitz	Bishop	Bringer	Brown	Cunningham 86
Davis 19	Donnelly	Dusenberg	El-Amin	Ervin
Graham	Green	Harris 110	Harris 23	Hoskins
Johnson 90	Kelly 144	Lembke	LeVota	Meadows
Page	Roark	Schoemehl	Shoemyer	Walton
Whorton	Yaeger	Zweifel		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 005

Avery	Baker	Reinhart	Self	Shoemaker
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On motion of Representative Nieves, **CCS HCS SCS SB 758** was truly agreed to and finally passed by the following vote:

AYES: 123

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Brooks	Bruns	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Davis 122	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Emery	Engler
Fares	Fraser	George	Goodman	Guest
Hampton	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Reinhart	Richard	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Selby	Self	Shoemaker	Smith 118	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace

Walsh	Ward	Wasson	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yates	Madam Speaker		

NOES: 037

Barnitz	Bishop	Bringer	Brown	Burnett
Cunningham 86	Curls	Darrough	Daus	Davis 19
Donnelly	Dusenberg	Ervin	Graham	Green
Harris 110	Harris 23	Henke	Hoskins	Johnson 90
Kelly 144	Lembke	LeVota	Meadows	Rector
Roark	Salva	Schoemehl	Shoemyer	Skaggs
Smith 14	Walton	Whorton	Wildberger	Yaeger
Young	Zweifel			

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 002

Avery El-Amin

Speaker Hanaway declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 084

Abel	Angst	Baker	Bearden	Behnen
Bivins	Black	Bough	Bruns	Byrd
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Davis 122	Deeken	Dempsey	Dethrow	Dixon
Emery	Fares	Goodman	Guest	Hilgemann
Hobbs	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 36	King	Kingery	Lager
Lawson	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Pratt	Purgason	Quinn	Reinhart
Richard	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 118	St. Onge	Stefanick
Stevenson	Taylor	Threlkeld	Townley	Viebrock
Villa	Wallace	Wasson	Wilson 119	Wilson 130
Wood	Wright	Yates	Madam Speaker	

NOES: 077

Barnitz	Bean	Bishop	Bland	Boykins
Bringer	Brooks	Brown	Burnett	Campbell
Carnahan	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis 19	Donnelly	Dougherty	Dusenberg
El-Amin	Engler	Ervin	Fraser	George
Graham	Green	Hampton	Harris 110	Harris 23
Haywood	Henke	Holand	Hoskins	Hubbard
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144

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Kratky	Kuessner	Lembke	LeVota	Liese
Lowe	Meadows	Meiners	Muckler	Page
Portwood	Ransdall	Rector	Roark	Sager
Salva	Schoemehl	Skaggs	Smith 14	Spreng
Sutherland	Swinger	Vogt	Wagner	Walker
Walsh	Walton	Ward	Whorton	Wildberger
Willoughby	Wilson 25	Wilson 42	Witte	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Thompson

HOUSE BILLS WITH SENATE AMENDMENTS

SS#2 SCS HS HCS HBs 1268 & 1211, as amended, relating to employees, was taken up by Representative Smith (118).

On motion of Representative Smith (118), **SS#2 SCS HS HCS HBs 1268 & 1211, as amended**, was adopted by the following vote:

AYES: 117

Abel	Angst	Baker	Behnen	Bivins
Black	Bland	Bough	Boykins	Brooks
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Curls
Darrough	Daus	Davis 122	Davis 19	Dempsey
Dethrow	Dougherty	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Jolly	Jones	Kelly 144	Kelly 36
Kingery	Kratky	Lager	Lembke	Liese
Lipke	Lowe	Luetkemeyer	May	McKenna
Meadows	Miller	Moore	Morris	Muckler
Myers	Nieves	Page	Parker	Pearce
Phillips	Purgason	Quinn	Ransdall	Reinhart
Richard	Ruestman	Rupp	Schaaf	Schlottach
Schneider	Seigfreid	Shoemaker	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Walker	Wallace	Walsh	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Wood	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 036

Barnitz	Bean	Bearden	Bishop	Bringer
Brown	Bruns	Burnett	Deeken	Donnelly
Dusenberg	Green	Guest	Hunter	Johnson 90
Kuessner	LeVota	Mayer	Meiners	Munzlinger

Pratt	Rector	Roark	Salva	Sander
Schoemehl	Selby	Self	Shoemyer	Skaggs
Swinger	Wagner	Wildberger	Witte	Wright
Yates				

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 009

Avery	Dixon	King	Lawson	Marsh
Portwood	Sager	Vogt	Walton	

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **SS#2 SCS HS HCS HBs 1268 & 1211, as amended.**

SS#2 SCS HS HCS HBs 1268 & 1211, as amended, was laid over.

THIRD READING OF SENATE BILL - FEDERAL MANDATE

SCS SB 1096, relating to installation of manufactured homes, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **SCS SB 1096** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor

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Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Barnitz	Harris 110	Kelly 144	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Speaker Hanaway declared the bill passed.

Speaker Pro Tem Jetton resumed the Chair.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SS SCS SBs 1233, 840 & 1043, as amended**, and has taken up and passed **HS SS SCS SBs 1233, 840 & 1043, as amended by the CCR**.

Emergency clause adopted.

BILLS IN CONFERENCE

CCR HS HCS SCS SBs 1020, 889 & 869, as amended, relating to the open records law, was taken up by Representative Goodman.

On motion of Representative Goodman, **CCR HS HCS SCS SBs 1020, 889 & 869, as amended**, was adopted by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins

Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Kelly 144

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Goodman, **CCS HS HCS SCS SBs 1020, 889 & 869** was truly agreed to and finally passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector

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Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 003

Cooper 120	Kelly 144	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger

Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Barnitz	Cooper 120	Kelly 144	Sager
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PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

CCR HS HCS SS SCS SB 968 and SCS SB 969, as amended, relating to school personnel, was taken up by Representative Baker.

On motion of Representative Baker, **CCR HS HCS SS SCS SB 968 and SCS SB 969, as amended**, was adopted by the following vote:

AYES: 162

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Baker, **CCS HS HCS SS SCS SB 968 and SCS SB 969** was truly agreed to and finally passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Graham Johnson 47 Salva

Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 004

Burnett	Kelly 144	Sager	Walker
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hobbs	Page	Salva
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CCR SS SCS HCS HB 1182, as amended, relating to tax credits, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **CCR SS SCS HCS HB 1182, as amended**, was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

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Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 004

Burnett	El-Amin	Hoskins	Wilson 25
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PRESENT: 002

Johnson 61	Witte
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ABSENT WITH LEAVE: 006

Avery	Deeken	Hobbs	Johnson 47	Rector
Thompson				

On motion of Representative Munzlinger, **CCS SS SCS HCS HB 1182** was read the third time and passed by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110

Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 004

Burnett	El-Amin	Hoskins	Wilson 25
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PRESENT: 002

Johnson 61	Witte
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ABSENT WITH LEAVE: 004

Avery	Curls	Johnson 47	Rector
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Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Engler	Ervin
Fares	Fraser	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris

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Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 42	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 009

Donnelly	El-Amin	Hoskins	Johnson 90	Sager
Walker	Wilson 25	Witte	Young	

PRESENT: 003

Campbell	George	Johnson 61
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ABSENT WITH LEAVE: 003

Avery	Curls	Rector
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CCR SCS HB 1548, as amended, relating to state employees' pay, was taken up by Representative Crawford.

On motion of Representative Crawford, **CCR SCS HB 1548, as amended**, was adopted by the following vote:

AYES: 158

Abel	Baker	Bean	Bearden	Behnen
Bishop	Bivins	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager

Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 001

Burnett

PRESENT: 000

ABSENT WITH LEAVE: 004

Angst	Avery	Barnitz	Smith 118
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On motion of Representative Crawford, **CCS SCS HB 1548** was read the third time and passed by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119

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Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 001

Lawson

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Speaker Pro Tem Jetton declared the bill passed.

CCR HS HCS SB 1394, as amended, relating to tax collection, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **CCR HS HCS SB 1394, as amended**, was adopted by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 009

Donnelly	Hoskins	Johnson 90	Sager	Salva
Selby	Shoemyer	Walker	Walton	

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 004

Avery	Deeken	Miller	Townley
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On motion of Representative Cooper (120), **CCS HS HCS SB 1394** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
Liese	Lipke	Lowe	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Skaggs
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 011

Donnelly	El-Amin	Hoskins	Johnson 90	LeVota
Sager	Salva	Selby	Shoemyer	Walker
Walton				

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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Luetkemeyer	Smith 118	Townley	Yates
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Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Roark	Ruestman	Rupp	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Viebrock	Villa	Vogt	Wagner	Walsh
Ward	Wasson	Whorton	Wildberger	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 012

Burnett	Donnelly	El-Amin	Harris 110	Hoskins
Johnson 90	LeVota	Sager	Selby	Walker
Walton	Witte			

PRESENT: 001

Shoemyer

ABSENT WITH LEAVE: 005

Avery	Richard	Townley	Wallace	Willoughby
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CCR#3 SS HS HCS HB 978, as amended, relating to small business, was taken up by Representative Baker.

On motion of Representative Baker, **CCR#3 SS HS HCS HB 978, as amended**, was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	George	Goodman	Graham
Green	Guest	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Holand	Hoskins
Hubbard	Hunter	Icey	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 007

Burnett	Daus	Fraser	Johnson 90	Villa
Wilson 25	Young			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Corcoran	Hobbs	Schaaf	Townley
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On motion of Representative Baker, **CCS#3 SS HS HCS HB 978** was read the third time and passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yates
Zweifel	Madam Speaker			

NOES: 009

Burnett	Daus	Fraser	Hilgemann	Johnson 90
Villa	Wilson 25	Yaeger	Young	

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Sutherland

Speaker Pro Tem Jetton declared the bill passed.

CCR HS SS SCS SBs 1233, 840 & 1043, as amended, relating to motor vehicles, was taken up by Representative Crawford.

On motion of Representative Crawford, **CCR HS SS SCS SBs 1233, 840 & 1043, as amended**, was adopted by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Brunsf	Burnett	Byrd	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 007

Brooks	Campbell	Davis 122	Hoskins	Roark
Selby	Wilson 25			

PRESENT: 001

Mayer

ABSENT WITH LEAVE: 002

Avery	Wilson 130
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On motion of Representative Crawford, **HS SS SCS SBs 1233, 840 & 1043, as amended by the CCR**, was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 42	Witte
Wood	Wright	Yaeger	Young	Zweifel
Madam Speaker				

NOES: 009

Brooks	Davis 122	El-Amin	Hoskins	Roark
Selby	Walker	Wilson 25	Yates	

PRESENT: 001

Mayer

ABSENT WITH LEAVE: 002

Avery	Wilson 130
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Speaker Pro Tem Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Henke	Hobbs	Holand
Hunter	Ice	Jackson	Jetton	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 012

Brooks	Dethrow	El-Amin	Hilgemann	Hoskins
Hubbard	Johnson 61	Morris	Sager	Selby
Walker	Wilson 25			

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Johnson 47

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 1195**, entitled:

An act to repeal sections 182.200, 320.094, 320.106, 320.111, 320.116, 320.126, 320.131, 320.136, 320.146, 320.151, 320.161, 337.510, 337.615, 337.703, 337.706, and 337.715, RSMo, and to enact in lieu thereof twenty-nine new sections relating to professional registration, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1195, Page 44, Section 1, Line 21 of said page, by inserting immediately after said line the following:

“Section 2. 1. The holder of a current and active electrical contractor license issued by any political subdivision of this state, whose requirements are equal to or exceed the requirements for obtaining an electrical contractor license on August 28, 2004, in St. Louis County, shall be valid within any political subdivision of this state.

2. The provisions of this section shall not prohibit any political subdivision in this state from enforcing any code or law not contained herein, or to:

(1) Issue an electrical contractor license valid for that political subdivision, except for a person who holds a license as provided in subsection 1 of this section;

(2) Require a business license to perform electrical contracting work;

(3) Issue electrical contracting permits;

(4) Enforce codes of the political subdivision; or

(5) Inspect the work of a licensee.

3. Political subdivisions of this state that do not have the authority to issue or require electrical contractor licenses prior to August 28, 2004, shall not be granted such authority under the provisions of this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1195, Page 1, Section 182.200, Line 10, by deleting said section; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1195, Page 1, Section A, Line 9 of said page, by inserting immediately after said line the following:

“168.011. 1. No person shall be employed to teach in any position in a public school until he has received a valid certificate of license entitling him to teach in that position.

2. Teaching in the state of Missouri, performing other related education duties, **including school social work, school administration, and teacher education are hereby declared to be professions with all the appropriate rights, responsibilities and privileges accorded to other recognized professions.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1195, Page 3, Section 182.200, Line 16 of said page, by inserting immediately after said line the following:

“190.092. 1. A person or entity who acquires an automated external defibrillator shall ensure that:

(1) Expected defibrillator users receive training by the American Red Cross or American Heart Association in cardiopulmonary resuscitation and the use of automated external defibrillators, or an equivalent nationally recognized course in defibrillator use and cardiopulmonary resuscitation;

(2) The defibrillator is maintained and tested according to the manufacturer's operational guidelines;

(3) Any person who renders emergency care or treatment on a person in cardiac arrest by using an automated external defibrillator activates the emergency medical services system as soon as possible; and

(4) Any person or entity that owns an automated external defibrillator that is for use outside of a health care facility shall have a physician review and approve the clinical protocol for the use of the defibrillator, review and advise regarding the training and skill maintenance of the intended users of the defibrillator and assure proper review of all situations when the defibrillator is used to render emergency care.

2. Any person or entity who acquires an automated external defibrillator shall notify the emergency communications district or the ambulance dispatch center of the primary provider of emergency medical services where the automated external defibrillator is to be located.

3. Any person who has had appropriate training, including a course in cardiopulmonary resuscitation, has demonstrated a proficiency in the use of an automated external defibrillator, and who gratuitously and in good faith renders emergency care when medically appropriate by use of or provision of an automated external defibrillator, without objection of the injured victim or victims thereof, shall not be held liable for any civil damages as a result of such care or treatment, where the person acts as an ordinarily reasonable, prudent person would have acted under the same or similar circumstances. The person or entity who provides appropriate training to the person using an automated external defibrillator, the person or entity responsible for the site where the automated external defibrillator is located, and the licensed physician who reviews and approves the clinical protocol, shall likewise not be held liable for civil damages resulting from the use of an automated external defibrillator, provided that all other requirements of this section have been met. Nothing in this section shall affect any claims brought pursuant to chapter 537 or 538, RSMo.

4. The provisions of this section shall apply in all counties within the state and any city not within a county.

190.133. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for an emergency medical response agency license.

2. The department shall issue a license to any emergency medical response agency which provides advanced life support if the applicant meets the requirements established pursuant to sections 190.001 to 190.245, and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical response agency including, but not limited to:

(1) A licensure period of five years;

(2) Medical direction;

(3) Records and forms; and

(4) Memorandum of understanding with local ambulance services.

3. Application for an emergency medical response agency license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical response agency meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. No person or entity shall hold itself out as an emergency medical response agency that provides advanced life support or provide the services of an emergency medical response agency that provides advanced life support unless such person or entity is licensed by the department.

5. Only emergency medical response agencies, fire departments, and fire protection districts may provide certain ALS services with the services of EMT-Is.

6. Emergency medical response agencies functioning with the services of EMT-Is must work in collaboration with an ambulance service providing advanced life support with personnel trained to the emergency medical technician-paramedic level.”; and

Further amend said bill, Page 44, Section 1, Line 21 of said page, by inserting immediately after said line the following:

“[190.092. 1. A person or entity who acquires an automated external defibrillator shall ensure that:

(1) Expected defibrillator users receive training by the American Red Cross or American Heart Association in cardiopulmonary resuscitation and the use of automated external defibrillators, or an equivalent nationally recognized course in defibrillator use and cardiopulmonary resuscitation;

(2) The defibrillator is maintained and tested according to the manufacturer's operational guidelines;

(3) Any person who renders emergency care or treatment on a person in cardiac arrest by using an automated external defibrillator activates the emergency medical services system as soon as possible; and

(4) Any person or entity that owns an automated external defibrillator that is for use outside of a health care facility shall have a physician review and approve the clinical protocol for the use of the defibrillator, review and advise regarding the training and skill maintenance of the intended users of the defibrillator and assure proper review of all situations when the defibrillator is used to render emergency care.

2. Any person or entity who acquires an automated external defibrillator shall notify the emergency communications district or the ambulance dispatch center of the primary provider of emergency medical services where the automated external defibrillator is to be located.

3. Any person who has had appropriate training, including a course in cardiopulmonary resuscitation, has demonstrated a proficiency in the use of an automated external defibrillator, and who gratuitously and in good faith renders emergency care when medically appropriate by use of or provision of an automated external defibrillator, without objection of the injured victim or victims thereof, shall not be held liable for any civil damages as a result of such care or treatment, where the person acts as an ordinarily reasonable, prudent person, or with regard to a health care professional, including the licensed physician who reviews and approves the clinical protocol, as a reasonably prudent and careful health care provider would have acted, under the same or similar circumstances. Nothing in this section shall affect any claims brought pursuant to chapter 537 or 538, RSMo.]

[190.133. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as the department deems necessary to be made of the applicant for an emergency medical response agency license.

2. The department shall issue a license to any emergency medical response agency which provides advanced life support if the applicant meets the requirements established pursuant to sections 190.001 to 190.245, and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical response agency including, but not limited to:

(1) A licensure period of five years;

(2) Medical direction;

(3) Records and forms; and

(4) Memorandum of understanding with local ambulance services.

3. Application for an emergency medical response agency license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical response agency meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. No person or entity shall hold itself out as an emergency medical response agency that provides advanced life support or provide the services of an emergency medical response agency that provides advanced life support unless such person or entity is licensed by the department.

5. Only emergency medical response agencies licensed and serving in any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, or any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants will be licensed to provide certain ALS services with the services of EMT-Is.

6. Emergency medical response agencies functioning with the services of EMT-Is must work in collaboration with an ambulance service providing advanced life support with personnel trained to the emergency medical technician-paramedic level.]”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1195, Pages 3-7, Section 320.094, by striking all of said section from the bill; and

Further amend Pages 7-11, Section 320.106, by striking all of said section from the bill; and

Further amend Pages 11-15, Section 320.111, by striking all of said section from the bill; and

Further amend Pages 15-17, Section 320.116, by striking all of said section from the bill; and

Further amend Pages 17-19, Section 320.126, by striking all of said section from the bill; and

Further amend Section 320.131, Lines 19-20, by striking all of said section from the bill; and

Further amend Section 320.136, Pages 20-21, by striking all of said section from the bill; and

Further amend Section 320.146, Pages 21-22, by striking all of said section from the bill; and

Further amend Section 320.151, Pages 22-23, by striking all of said section from the bill; and

Further amend Page 23, Section 320.161, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1177, as amended, relating to concentrated animal feeding operations, was taken up by Representative Guest.

Speaker Hanaway resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Byrd	Cooper 120
Cooper 155	Crawford	Crowell	Cunningham 145	Cunningham 86
Davis 19	Deeken	Dempsey	Dethrow	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hobbs	Holand	Hunter	Icet
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self

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Shoemaker	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Threlkeld	Townley	Viebrock
Wallace	Wasson	Wilson 119	Wilson 130	Wood
Wright	Madam Speaker			

NOES: 055

Abel	Barnitz	Bishop	Burnett	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Johnson 90	Jolly	Jones	Kelly 36	Kuessner
LeVota	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Sager	Salva	Schoemehl
Seigfreid	Selby	Shoemyer	Skaggs	Spreng
Swinger	Villa	Vogt	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Bland	Boykins	Bringer	Brooks
Brown	Bruns	Campbell	Dixon	Dougherty
George	Hampton	Hoskins	Hubbard	Johnson 61
Kratky	Lawson	Liese	Marsh	Parker
Ransdall	Smith 118	Thompson	Wagner	Wilson 42
Yates				

Representative Johnson (90) requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Guest, **SCS HCS HB 1177, as amended**, was adopted by the following vote:

AYES: 087

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Bringer
Brown	Cooper 155	Crowell	Cunningham 145	Cunningham 86
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dusenberg	Emery	Engler	Ervin	Goodman
Green	Guest	Henke	Hobbs	Ice
Jackson	Jetton	Kelly 144	Kelly 36	King
Kingery	Lager	Lembke	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Moore
Morris	Munzlinger	Myers	Nieves	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Seigfreid
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Swinger	Threlkeld	Townley
Viebrock	Wallace	Ward	Wasson	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright
Yates	Madam Speaker			

NOES: 046

Bishop	Burnett	Carnahan	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fares
Fraser	Graham	Harris 110	Harris 23	Haywood
Hilgemann	Johnson 90	Jolly	Jones	Kuessner
LeVota	Liese	Lowe	Meadows	Muckler
Page	Ransdall	Sager	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Villa
Vogt	Wagner	Walker	Walsh	Walton
Wildberger	Willoughby	Wilson 25	Yaeger	Young
Zweifel				

PRESENT: 002

Byrd	Taylor
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ABSENT WITH LEAVE: 028

Abel	Avery	Bland	Boykins	Brooks
Bruns	Campbell	Cooper 120	Crawford	Dixon
Dougherty	George	Hampton	Holand	Hoskins
Hubbard	Hunter	Johnson 47	Johnson 61	Kratky
Lawson	Meiners	Miller	Parker	Schneider
Sutherland	Thompson	Wilson 42		

Representative Harris (110) requested a verification of the roll call on the motion to adopt **SCS HCS HB 1177, as amended.**

On motion of Representative Guest, **SCS HCS HB 1177, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 114

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bough	Boykins
Bringer	Brooks	Brown	Bruns	Campbell
Cooper 120	Cooper 155	Crawford	Crowell	Cunningham 145
Cunningham 86	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Goodman	Guest	Hampton
Henke	Hobbs	Holand	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Kelly 144	Kelly 36	King	Kingery	Kuessner
Lager	Lawson	Lembke	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Seigfreid	Self	Shoemaker	Skaggs	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Thompson	Threlkeld	Townley	Viebrock

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Vogt	Wallace	Ward	Wasson	Whorton
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yates	Zweifel	Madam Speaker	

NOES: 046

Abel	Bishop	Bland	Burnett	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fares	Fraser	George	Graham
Green	Harris 110	Harris 23	Haywood	Hilgemann
Hoskins	Johnson 90	Jolly	Jones	Kratky
LeVota	Lowe	Meadows	Muckler	Page
Sager	Salva	Schoemehl	Selby	Shoemyer
Spreng	Villa	Wagner	Walker	Walsh
Walton	Wildberger	Willoughby	Wilson 25	Yaeger
Young				

PRESENT: 002

Byrd Taylor

ABSENT WITH LEAVE: 001

Avery

Speaker Hanaway declared the bill passed.

SS SCS HS HCS HB 1195, as amended, relating to professional registration, was taken up by Representative Behnen.

Representative Behnen moved that the House refuse to adopt **SS SCS HS HCS HB 1195, as amended**, and request the Senate to recede from its position on **SS SCS HS HCS HB 1195, as amended**.

Which motion was adopted.

SS HS HCS HB 1511, as amended, relating to trust and estate administration, was taken up by Representative Byrd.

On motion of Representative Byrd, **SS HS HCS HB 1511, as amended**, was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares

Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Lembke	McKenna	Munzlinger	Myers
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On motion of Representative Byrd, **SS HS HCS HB 1511, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector

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Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Crawford	McKenna	Smith 118
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Speaker Hanaway declared the bill passed.

SS HS HCS HB 1207, as amended, relating to levee districts, was taken up by Representative Icet.

On motion of Representative Icet, **SS HS HCS HB 1207, as amended**, was adopted by the following vote:

AYES: 150

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Carnahan
Cooper 120	Cooper 155	Corcoran	Crowell	Cunningham 145
Cunningham 86	Curls	Darrouh	Davis 122	Davis 19
Deeken	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker

Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 009

Daus	Dempsey	Donnelly	Green	Harris 110
Harris 23	Henke	Johnson 90	Schneider	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Campbell	Crawford	Selby
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On motion of Representative Icet, **SS HS HCS HB 1207, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Haywood	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
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NOES: 011

Donnelly	Green	Harris 110	Harris 23	Henke
Johnson 90	Kratky	LeVota	Schneider	Selby
Wilson 25				

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Speaker Hanaway declared the bill passed.

SCS HS HB 1193, relating to notaries public, was taken up by Representative Self.

On motion of Representative Self, **SCS HS HB 1193** was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Selby	Walton
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Corcoran Townley

On motion of Representative Self, **SCS HS HB 1193** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Thompson	Threlkeld	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 002

Selby Walton

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Graham LeVota

Speaker Hanaway declared the bill passed.

SCS HCR 21, relating to agricultural committees, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **SCS HCR 21** was adopted by the following vote:

AYES: 159

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Walker	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Crawford
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On motion of Representative Ruestman, **HCR 21, as amended by the SCS**, was adopted by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black

Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 003

Selby	Walker	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Crawford
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HCS HB 1093, with Senate Amendment No. 1, relating to rights of persons with service dogs, was taken up by Representative Deeken.

Representative Deeken moved that the House concur in **Senate Amendment No. 1** to **HCS HB 1093**.

HCS HB 1093, with motion to concur in Senate Amendment No. 1, pending, was laid over.

HS HCS HB 1433, with Senate Amendment No. 1, relating to watershed improvement districts, was taken up by Representative Wood.

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On motion of Representative Wood, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 157

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 001

Barnitz

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Holand	Muckler	Smith 118	Young
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On motion of Representative Wood, **HS HCS HB 1433, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brown	Bruns

Burnett	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 002

Barnitz Johnson 90

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Brooks May Sutherland

Speaker Hanaway declared the bill passed.

SCS HS HB 1599, as amended, relating to the Committee on Waste, Fraud and Abuse, was taken up by Representative Ervin.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crowell	Cunningham 145
Cunningham 86	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Engler

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Ervin	Fares	Goodman	Guest	Hobbs
Holand	Hunter	Ice	Jackson	Jetton
Johnson 47	Kelly 144	King	Kingery	Lager
Lembke	Lipke	Luetkemeyer	Marsh	May
Mayer	Miller	Moore	Morris	Munzlinger
Myers	Nieves	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Self
Shoemaker	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wildberger
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 070

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Dougherty	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Crawford

On motion of Representative Ervin, **SCS HS HB 1599, as amended**, was adopted by the following vote:

AYES: 136

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Bringer	Brooks	Brown	Bruns
Byrd	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Goodman
Graham	Green	Guest	Hampton	Harris 23
Haywood	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	McKenna

Meadows	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Stevenson	Sutherland	Swinger
Taylor	Threlkeld	Townley	Viebrock	Villa
Wagner	Wallace	Walton	Ward	Wasson
Whorton	Willoughby	Wilson 119	Wilson 130	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 025

Bland	Boykins	Burnett	Campbell	Corcoran
Curls	Fraser	George	Harris 110	Henke
Hilgemann	Lowe	Meiners	Sager	Selby
Shoemyer	Spreng	Thompson	Vogt	Walker
Walsh	Wildberger	Wilson 25	Wilson 42	Young

PRESENT: 001

Kelly 36

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Ervin, **SCS HS HB 1599, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 134

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Carnahan	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Goodman	Graham	Green	Guest	Hampton
Harris 23	Haywood	Hobbs	Holand	Hoskins
Hubbard	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Skaggs	Smith 118	Smith 14
St. Onge	Stefanick	Swinger	Taylor	Threlkeld

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Townley	Viebrock	Villa	Wagner	Wallace
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Zweifel	Madam Speaker	

NOES: 024

Barnitz	Bland	Boykins	Campbell	Corcoran
Fraser	George	Harris 110	Henke	Hilgemann
Lowe	Meiners	Sager	Selby	Shoemyer
Spreng	Thompson	Vogt	Walker	Walsh
Wildberger	Wilson 25	Wilson 42	Young	

PRESENT: 001

Kelly 36

ABSENT WITH LEAVE: 004

Avery	Hunter	Stevenson	Sutherland
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Speaker Hanaway declared the bill passed.

HCS HB 1093, with motion to concur in Senate Amendment No. 1, pending, relating to the rights of persons with service dogs, was again taken up by Representative Deeken.

Representative Deeken again moved that the House concur in **Senate Amendment No. 1 to HCS HB 1093**.

The motion to concur in **Senate Amendment No. 1 to HCS HB 1093** was withdrawn.

Representative Deeken moved that the House refuse to concur in **Senate Amendment No. 1 to HCS HB 1093** and request the Senate to recede from its position and take up and pass **HCS HB 1093**.

Which motion was adopted by the following vote:

AYES: 136

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Haywood	Hilgemann	Holand
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Jones	Kelly 144	Kelly 36
King	Kingery	Lager	Lawson	Lembke
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller

Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schneider	Seigfreid
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Threlkeld	Townley
Viebrock	Villa	Wagner	Walker	Wallace
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yates	Young	Zweifel
Madam Speaker				

NOES: 023

Burnett	Darrough	Daus	Emery	Harris 110
Harris 23	Henke	Johnson 90	Jolly	Kratky
Kuessner	LeVota	Meadows	Page	Sager
Salva	Schoemehl	Selby	Thompson	Vogt
Walsh	Wilson 25	Yaeger		

PRESENT: 001

Bland

ABSENT WITH LEAVE: 003

Avery	Hobbs	Johnson 61
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SS HS HCS HB 1285, relating to car rental insurance, was taken up by Representative Engler.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Abel	Angst	Baker	Bean	Bearden
Behnen	Bivins	Black	Bough	Brown
Bruns	Byrd	Cooper 120	Cooper 155	Crawford
Crowell	Cunningham 145	Cunningham 86	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hampton	Hobbs	Holand	Hunter
Ice	Jackson	Jetton	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland

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Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 069

Barnitz	Bishop	Bland	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Daus	Davis 122	Donnelly
El-Amin	Fraser	George	Graham	Green
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kratky	Kuessner	Lawson
LeVota	Liese	Lowe	McKenna	Meadows
Meiners	Muckler	Page	Ransdall	Sager
Salva	Schoemehl	Seigfreid	Selby	Shoemyer
Skaggs	Spreng	Swinger	Thompson	Villa
Vogt	Wagner	Walker	Walsh	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Wildberger
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On motion of Representative Engler, **SS HS HCS HB 1285** was adopted by the following vote:

AYES: 140

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Bringer	Brown	Burnett	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Haywood	Hilgemann	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 61	Jolly	Jones	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner

Wallace	Walsh	Walton	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Witte	Wood
Wright	Yates	Young	Zweifel	Madam Speaker

NOES: 016

Barnitz	Bland	Brooks	Harris 110	Harris 23
Henke	Hoskins	Johnson 90	Meadows	Ransdall
Shoemyer	Walker	Ward	Whorton	Wilson 25
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bruns	Crawford	Dempsey	Johnson 47
Kelly 144	Wilson 42			

On motion of Representative Engler, **SS HS HCS HB 1285** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Angst	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Bringer	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Haywood	Hilgemann	Hobbs
Holand	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Self	Shoemaker	Shoemyer	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yates	Madam Speaker

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NOES: 020

Baker	Bland	Brooks	Darrough	Harris 110
Harris 23	Henke	Hoskins	Johnson 90	Meadows
Ransdall	Salva	Selby	Skaggs	Walker
Ward	Whorton	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Crawford	Seigfreid
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Speaker Hanaway declared the bill passed.

SCS HCS HB 1403, relating to amusement rides, was taken up by Representative Moore.

On motion of Representative Moore, **SCS HCS HB 1403** was adopted by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Kuessner Sutherland

On motion of Representative Moore, **SCS HCS HB 1403** was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Nieves
Page	Parker	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery Johnson 47 Myers Pearce Salva
Wasson

Speaker Hanaway declared the bill passed.

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SCS HB 841, as amended, relating to containers on watercraft, was taken up by Representative Angst.

Speaker Pro Tem Jetton resumed the Chair.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Whorton
Wilson 119	Wilson 130	Wood	Wright	Yates
Madam Speaker				

NOES: 070

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Wagner	Walker
Walsh	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Witte	Yaeger	Young	Zweifel

PRESENT: 001

Wildberger

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Angst, **SCS HB 841, as amended**, was adopted by the following vote:

AYES: 153

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Selby	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Zweifel	Madam Speaker		

NOES: 009

Brooks	Burnett	Dougherty	Henke	Spreng
Villa	Vogt	Whorton	Young	

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Angst, **SCS HB 841, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brown

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Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Yates
Zweifel	Madam Speaker			

NOES: 008

Burnett	Dougherty	Henke	Spreng	Villa
Vogt	Whorton	Young		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 002

Avery Schlottach

Speaker Pro Tem Jetton declared the bill passed.

SS#2 HCS HB 980, as amended, relating to environmental rules, was taken up by Representative Myers.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Angst	Baker	Bean	Bearden	Behnen
Bivins	Blacks	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell

Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hobbs	Holand	Hunter	Ice	Jackson
Jetton	Johnson 47	Kelly 144	King	Kingery
Lager	Lembke	Lipke	Luetkemeyer	Marsh
May	Mayer	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sander	Schaaf	Schlottach	Schneider
Self	Shoemaker	Smith 118	Smith 14	St. Onge
Stefanick	Stevenson	Sutherland	Taylor	Threlkeld
Townley	Viebrock	Wallace	Wasson	Wilson 119
Wilson 130	Wood	Wright	Yates	Madam Speaker

NOES: 071

Abel	Barnitz	Bishop	Bland	Boykins
Bringer	Brooks	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Davis 122
Donnelly	El-Amin	Fraser	George	Graham
Green	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hoskins	Hubbard	Johnson 61
Johnson 90	Jolly	Jones	Kelly 36	Kratky
Kuessner	Lawson	LeVota	Liese	Lowe
McKenna	Meadows	Meiners	Muckler	Page
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Selby	Shoemyer	Skaggs	Spreng	Swinger
Thompson	Villa	Vogt	Walker	Walsh
Walton	Ward	Whorton	Wildberger	Willoughby
Wilson 25	Wilson 42	Witte	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Wagner

On motion of Representative Myers, **SS#2 HCS HB 980, as amended**, was adopted by the following vote:

AYES: 115

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hampton	Harris 23	Haywood	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Kelly 144	Kelly 36	King
Kingery	Kuessner	Lager	Lawson	Lembke
Liese	Lipke	Luetkemeyer	Marsh	May
Mayer	McKenna	Meiners	Miller	Moore

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Morris	Munzlinger	Myers	Nieves	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Smith 118	Smith 14	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Threlkeld	Townley
Viebrock	Wagner	Wallace	Ward	Wasson
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yates	Young	Madam Speaker

NOES: 047

Abel	Bishop	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Harris 110	Henke	Hilgemann	Hoskins
Johnson 90	Jolly	Jones	Kratky	LeVota
Lowe	Meadows	Muckler	Page	Sager
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Thompson	Villa	Vogt	Walker
Walsh	Walton	Whorton	Wildberger	Wilson 25
Yaeger	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Myers, **SS#2 HCS HB 980, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 115

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bough
Boykins	Bringer	Brooks	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 122	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Engler	Ervin	Fares	Goodman	Guest
Hampton	Harris 23	Haywood	Hobbs	Holand
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Kelly 144	Kelly 36	King
Kingery	Kuessner	Lager	Lawson	Lembke
Lipke	Luetkemeyer	Marsh	May	Mayer
McKenna	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Seigfreid	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Threlkeld	Townley	Viebrock

Wagner	Wallace	Walton	Ward	Wasson
Willoughby	Wilson 119	Wilson 130	Wilson 42	Witte
Wood	Wright	Yates	Young	Madam Speaker

NOES: 047

Abel	Bishop	Burnett	Campbell	Carnahan
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Graham
Green	Harris 110	Henke	Hilgemann	Hoskins
Johnson 90	Jolly	Jones	Kratky	LeVota
Liese	Lowe	Meadows	Muckler	Page
Sager	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Thompson	Villa	Vogt
Walker	Walsh	Whorton	Wildberger	Wilson 25
Yaeger	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

Speaker Pro Tem Jetton declared the bill passed.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SCS#2 SB 762, as amended**, and has taken up and passed **CCR HS HCS SCS#2 SB 762**.

BILL IN CONFERENCE

CCR HS HCS SCS#2 SB 762, as amended, relating to foster care, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **CCR HS HCS SCS#2 SB 762, as amended**, was adopted by the following vote:

AYES: 162

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton

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Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Young
Zweifel	Madam Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Avery

On motion of Representative Hanaway, **CCS HS HCS SCS#2 SB 762** was truly agreed to and finally passed by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid

Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Sutherland

Speaker Pro Tem Jetton declared the bill passed.

Speaker Hanaway resumed the Chair.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **Senate Amendment No. 3 to SS SCS HS HCS HB 1195, as amended**, and has taken up and passed **SS SCS HS HCS HB 1195, as amended by Senate Amendment Nos. 1, 2, 4 and 5**.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HS HCS HB 1195, as amended, relating to professional registration, was taken up by Representative Behnen.

On motion of Representative Behnen, **SS SCS HS HCS HB 1195, as amended**, was adopted by the following vote:

AYES: 156

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36

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King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 004

Johnson 47	Rector	Selby	Walsh
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Holand	Thompson
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On motion of Representative Behnen, **SS SCS HS HCS HB 1195, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 157

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Reinhart
Richard	Roark	Ruestman	Rupp	Sager
Salva	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Self	Shoemaker	Shoemyer

Skaggs	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Witte	Wood	Wright	Yaeger	Young
Zweifel	Madam Speaker			

NOES: 003

Johnson 47	Rector	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Cunningham 145	Yates
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Speaker Hanaway declared the bill passed.

THIRD READING OF SENATE CONCURRENT RESOLUTIONS

HCS SCR 35, relating to the Senator Staples Memorial Building, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **HCS SCR 35** was adopted.

On motion of Representative Kelly (144), **HCS SCR 35** was read the third time and passed by the following vote:

AYES: 160

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman

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Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 001

Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Barnitz

Speaker Hanaway declared the bill passed.

SCR 51, relating to the Ellis Fischel Cancer Center, was taken up by Representative Graham.

On motion of Representative Graham, **SCR 51** was truly agreed to and finally passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Holand	Hoskins	Hubbard
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland

Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Hobbs	Kelly 144
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Speaker Hanaway declared the bill passed.

THIRD READING OF SENATE BILLS

SCS SB 810, relating to immunity from civil liability, was taken up by Representative Ervin.

On motion of Representative Ervin, **SCS SB 810** was truly agreed to and finally passed by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Hunter	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lawson	Lembke	LeVota
Liese	Lipke	Lowe	Luetkemeyer	Marsh
May	Mayer	McKenna	Meadows	Meiners
Miller	Moore	Morris	Muckler	Munzlinger
Myers	Nieves	Page	Parker	Pearce
Phillips	Portwood	Pratt	Purgason	Quinn
Ransdall	Rector	Reinhart	Richard	Roark
Ruestman	Rupp	Sager	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby

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Wilson 119
Wood
Madam Speaker

Wilson 130
Wright

Wilson 25
Yaeger

Wilson 42
Yates

Witte
Young

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Zweifel

Speaker Hanaway declared the bill passed.

SCS SB 1062, relating to liquor licenses for caterers, was taken up by Representative Johnson (47).

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Angst	Baker	Bean	Bearden	Behnen
Bivins	Black	Bough	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Daus	Davis 19	Deeken
Dempsey	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Engler	Ervin	Fares	Goodman
Guest	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	King
Kingery	Kratky	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sander	Schaaf
Schlottach	Schneider	Self	Shoemaker	Smith 118
Smith 14	St. Onge	Stefanick	Stevenson	Sutherland
Taylor	Threlkeld	Townley	Viebrock	Wallace
Wasson	Wilson 119	Wilson 130	Wood	Wright
Yates	Madam Speaker			

NOES: 069

Abel	Barnitz	Bishop	Boykins	Bringer
Brooks	Burnett	Campbell	Carnahan	Corcoran
Curls	Darrough	Davis 122	Donnelly	El-Amin
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Johnson 90	Jolly
Jones	Kelly 36	Kuessner	Lawson	LeVota
Liese	Lowe	McKenna	Meadows	Meiners
Muckler	Page	Ransdall	Sager	Salva
Schoemehl	Seigfrehl	Selby	Shoemyer	Skaggs
Spreng	Swinger	Thompson	Villa	Vogt

Wagner	Walker	Walsh	Walton	Ward
Whorton	Wildberger	Willoughby	Wilson 25	Wilson 2
Witte	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Bland
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On motion of Representative Johnson (47), **SCS SB 1062** was truly agreed to and finally passed by the following vote:

AYES: 130

Abel	Angst	Bearden	Behnen	Bivins
Boykins	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Deeken
Dempsey	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Engler	Fares	Fraser	George
Goodman	Graham	Green	Guest	Hampton
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 36	King	Kingery	Kratky	Lager
Lawson	LeVota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Moore	Muckler	Munzlinger
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Shoemaker	Smith 118	Smith 14	Spreng	St. Onge
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Witte	Wood
Wright	Yaeger	Young	Zweifel	Madam Speaker

NOES: 028

Baker	Barnitz	Bean	Bishop	Black
Bough	Bringer	Davis 19	Dethrow	El-Amin
Ervin	Harris 110	Icet	Jackson	Kelly 144
Kuessner	Lembke	Miller	Morris	Myers
Nieves	Ransdall	Roark	Selby	Self
Shoemyer	Skaggs	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Bland	Sager	Wagner	Yates
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Speaker Hanaway declared the bill passed.

SCS SB 1045, relating to cross burning, was taken up by Representative Haywood.

Representative Byrd offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 1045, Page 1, Section 574.065, Line 3, by inserting after all of said line the following:

“Any person who shall violate any provision of this section shall be guilty of a class A misdemeanor for a first offense and a class D felony for a second or subsequent offense.”; and

Further amend said page, Lines 7-10, by deleting all of said lines; and

Further amend said bill by changing section number from “574.065” to “**565.095**”.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

On motion of Representative Haywood, **SCS SB 1045, as amended**, was read the third time and passed by the following vote:

AYES: 161

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Green	Guest
Hampton	Harris 110	Harris 23	Haywood	Henke
Hilgemann	Hobbs	Holand	Hoskins	Hubbard
Hunter	Icet	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Kuessner
Lager	Lawson	Lembke	LeVota	Liese
Lipke	Lowe	Luetkemeyer	Marsh	May
Mayer	McKenna	Meadows	Meiners	Miller
Moore	Morris	Muckler	Munzlinger	Myers
Nieves	Page	Parker	Pearce	Phillips
Portwood	Pratt	Purgason	Quinn	Ransdall
Rector	Reinhart	Richard	Roark	Ruestman
Rupp	Sager	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Swinger	Taylor	Thompson	Threlkeld
Townley	Viebrock	Villa	Vogt	Wagner
Walker	Wallace	Walsh	Walton	Ward

Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 000

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 001

Avery

Speaker Hanaway declared the bill passed.

THIRD READING OF SENATE BILL - CONSENT

SCS SB 974, relating to the State Legal Defense Fund, was taken up by Representative Rupp.

On motion of Representative Rupp, **SCS SB 974** was truly agreed to and finally passed by the following vote:

AYES: 158

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Harris 23	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Icet	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Sander	Schaaf	Schlottach	Schneider
Schoemehl	Seigfreid	Selby	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Ward	Wasson	Whorton	Wildberger
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42

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Witte	Wood	Wright	Yaeger	Yates
Young	Zweifel	Madam Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Green	Haywood	Salva	Stevenson
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Speaker Hanaway declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 SCS HS HCS HBs 1268 & 1211, as amended, relating to employees, was again taken up by Representative Smith (118).

On motion of Representative Smith (118), **SS#2 SCS HS HCS HBs 1268 & 1211, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Abel	Angst	Baker	Behnen	Bivins
Black	Bland	Bough	Boykins	Brooks
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Ice	Jackson	Jetton
Johnson 47	Johnson 61	Jolly	Jones	Kelly 144
Kelly 36	King	Kingery	Kratky	Lager
Lembke	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	McKenna	Meadows	Meiners
Miller	Moore	Muckler	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Reinhart
Richard	Ruestman	Rupp	Salva	Schaaf
Schlottach	Schneider	Seigfreid	Shoemaker	Smith 118
Smith 14	Spreng	St. Onge	Stefanick	Stevenson
Sutherland	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Wasson	Whorton
Willoughby	Wilson 119	Wilson 130	Wilson 25	Wilson 42
Wood	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 030

Barnitz	Bean	Bearden	Bishop	Bringer
Brown	Burnett	Green	Guest	Hunter
Johnson 90	Kuessner	Lawson	LeVota	Mayer

Morris	Munzlinger	Rector	Roark	Sander
Schoemehl	Selby	Self	Shoemyer	Skaggs
Swinger	Ward	Wildberger	Witte	Wright

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery	Sager
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Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Abel	Angst	Baker	Behnen	Bivins
Black	Bland	Bough	Boykins	Brooks
Bruns	Byrd	Campbell	Carnahan	Cooper 120
Cooper 155	Corcoran	Crawford	Crowell	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Hampton	Harris 110	Harris 23
Haywood	Henke	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Icet	Jackson	Jetton
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Lager	Lawson	Lembke	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Portwood	Pratt
Purgason	Quinn	Ransdall	Reinhart	Richard
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Seigfreid	Self	Shoemaker
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
St. Onge	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Walker	Wallace	Walsh
Walton	Wasson	Whorton	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Wood	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 021

Barnitz	Bean	Bearden	Bishop	Bringer
Brown	Burnett	Green	Guest	Hunter
Kuessner	LeVota	Mayer	Rector	Roark
Schoemehl	Selby	Swinger	Ward	Witte
Wright				

PRESENT: 001

Wildberger

ABSENT WITH LEAVE: 002

Avery Sager

THIRD READING OF SENATE BILLS - CONSENT

SB 772, relating to flashing warning signals, was taken up by Representative Daus.

On motion of Representative Daus, **SB 772** was truly agreed to and finally passed by the following vote:

AYES: 159

Abel	Angst	Baker	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland
Bough	Boykins	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis 122	Davis 19	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	Fraser
George	Goodman	Graham	Guest	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Townley	Viebrock
Villa	Vogt	Wagner	Walker	Wallace
Walsh	Walton	Ward	Wasson	Whorton
Wildberger	Willoughby	Wilson 119	Wilson 130	Wilson 25
Wilson 42	Witte	Wood	Wright	Yaeger
Yates	Young	Zweifel	Madam Speaker	

NOES: 002

Barnitz Green

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Threlkeld

Speaker Hanaway declared the bill passed.

SCS SB 962, relating to athletic trainers, was taken up by Representative Lager.

On motion of Representative Lager, **SCS SB 962** was truly agreed to and finally passed by the following vote:

AYES: 160

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Boykins	Bringer	Brooks
Brown	Bruns	Burnett	Byrd	Campbell
Carnahan	Cooper 120	Cooper 155	Corcoran	Crawford
Crowell	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Green
Guest	Hampton	Harris 110	Harris 23	Haywood
Henke	Hilgemann	Hobbs	Holand	Hoskins
Hubbard	Ice	Jackson	Jetton	Johnson 47
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	LeVota	Liese	Lipke
Lowe	Luetkemeyer	Marsh	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Muckler	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Ransdall	Rector
Reinhart	Richard	Roark	Ruestman	Rupp
Sager	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Selby	Self
Shoemaker	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	St. Onge	Stefanick	Stevenson	Sutherland
Swinger	Taylor	Thompson	Threlkeld	Townley
Viebrock	Villa	Vogt	Wagner	Walker
Wallace	Walsh	Walton	Ward	Wasson
Whorton	Wildberger	Willoughby	Wilson 119	Wilson 130
Wilson 25	Wilson 42	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Hunter Johnson 61

Speaker Hanaway declared the bill passed.

SCS SB 1188, relating to annuity contracts, was taken up by Representative Luetkemeyer.

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On motion of Representative Luetkemeyer, **SCS SB 1188** was truly agreed to and finally passed by the following vote:

AYES: 156

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bough
Boykins	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Carnahan	Cooper 120	Cooper 155
Corcoran	Crawford	Crowell	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Engler
Ervin	Fares	Fraser	George	Goodman
Graham	Green	Guest	Hampton	Harris 110
Harris 23	Haywood	Hilgemann	Hobbs	Holand
Hoskins	Hubbard	Hunter	Ice	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Kingery
Kratky	Kuessner	Lager	Lawson	Lembke
LeVota	Liese	Lipke	Lowe	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Sager	Salva
Sander	Schaaf	Schlottach	Schneider	Schoemehl
Seigfreid	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Ward
Wasson	Whorton	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 004

Bringer	Henke	Selby	Walker
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PRESENT: 000

ABSENT WITH LEAVE: 003

Abel	Avery	Bland
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Speaker Hanaway declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Angst	Baker	Barnitz	Bean	Bearden
Behnen	Bishop	Bivins	Black	Bland

Bough	Boykins	Brown	Bruns	Byrd
Campbell	Carnahan	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Daus	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Engler	Ervin	Fares
Fraser	George	Goodman	Graham	Guest
Hampton	Harris 110	Harris 23	Haywood	Hilgemann
Hobbs	Holand	Hoskins	Hubbard	Hunter
Ice	Jackson	Jetton	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 36
King	Kingery	Kratky	Kuessner	Lager
Lawson	Lembke	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Muckler	Munzlinger	Myers	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Self	Shoemaker	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Wilson 25	Wilson 42	Witte
Wood	Wright	Yaeger	Yates	Zweifel
Madam Speaker				

NOES: 012

Bringer	Burnett	Darrough	Green	Henke
LeVota	Sager	Selby	Shoemyer	Skaggs
Walker	Young			

PRESENT: 000

ABSENT WITH LEAVE: 005

Abel	Avery	Brooks	Nieves	St. Onge
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THIRD READING OF SENATE BILL

SB 1153, with House Committee Amendment No. 1, relating to hand fishing, was taken up by Representative Hobbs.

Representative Hobbs moved that **House Committee Amendment No. 1** to **SB 1153** be adopted.

SB 1153, with the motion to adopt House Committee Amendment No. 1, pending, was laid over.

THIRD READING OF SENATE JOINT RESOLUTION

SJR 29, relating to same-sex marriages, was taken up by Representative Engler.

Representative Crowell moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Baker	Bean	Bearden	Behnen	Bishop
Bivins	Black	Bough	Bringer	Brown
Bruns	Byrd	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Engler
Ervin	Fares	Goodman	Guest	Hobbs
Holand	Iceet	Jackson	Johnson 47	Kelly 144
King	Kingery	Lager	Lembke	Lipke
Luetkemeyer	Marsh	May	Mayer	Miller
Moore	Morris	Munzlinger	Myers	Nieves
Page	Parker	Pearce	Phillips	Portwood
Pratt	Purgason	Quinn	Rector	Reinhart
Richard	Roark	Ruestman	Rupp	Sander
Schaaf	Schlottach	Schneider	Selby	Self
Shoemaker	Smith 118	Smith 14	St. Onge	Stefanick
Stevenson	Sutherland	Taylor	Threlkeld	Townley
Wallace	Wasson	Wildberger	Wilson 119	Wilson 130
Wood	Wright	Yates	Zweifel	Madam Speaker

NOES: 063

Abel	Barnitz	Bland	Boykins	Brooks
Burnett	Campbell	Carnahan	Curls	Darrough
Daus	Davis 122	Donnelly	Dougherty	El-Amin
Fraser	George	Graham	Green	Hampton
Harris 110	Harris 23	Haywood	Henke	Hilgemann
Hoskins	Hubbard	Johnson 61	Jones	Kelly 36
Kratky	Kuessner	Lawson	LeVota	Liese
Lowe	McKenna	Meadows	Meiners	Muckler
Ransdall	Sager	Salva	Schoemehl	Seigfreid
Shoemyer	Skaggs	Spreng	Swinger	Thompson
Villa	Vogt	Wagner	Walker	Walsh
Walton	Whorton	Willoughby	Wilson 25	Wilson 42
Witte	Yaeger	Young		

PRESENT: 002

Johnson 90 Ward

ABSENT WITH LEAVE: 008

Angst	Avery	Cooper 120	Corcoran	Hunter
Jetton	Jolly	Viebrock		

Representative Johnson (90) requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Engler, **SJR 29** was truly agreed to and finally passed by the following vote:

AYES: 130

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brown	Bruns
Byrd	Cooper 120	Cooper 155	Crawford	Crowell
Cunningham 145	Cunningham 86	Darrough	Davis 122	Davis 19
Deeken	Dempsey	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Engler	Ervin	George
Goodman	Green	Guest	Hampton	Harris 110
Henke	Hobbs	Holand	Hunter	Ice
Jackson	Jetton	Johnson 47	Kelly 144	Kelly 36
King	Kingery	Kuessner	Lager	Lawson
Lembke	LeVota	Liese	Lipke	Luetkemeyer
Marsh	May	Mayer	McKenna	Meadows
Meiners	Miller	Moore	Morris	Muckler
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Portwood	Pratt	Purgason
Quinn	Ransdall	Rector	Reinhart	Richard
Roark	Ruestman	Rupp	Salva	Sander
Schaaf	Schlottach	Schneider	Schoemehl	Seigfreid
Selby	Self	Shoemaker	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	St. Onge	Stefanick
Stevenson	Sutherland	Swinger	Taylor	Thompson
Threlkeld	Townley	Viebrock	Wagner	Wallace
Walton	Ward	Wasson	Whorton	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Young	Zweifel	Madam Speaker

NOES: 026

Brooks	Burnett	Campbell	Carnahan	Curls
Daus	Donnelly	Dougherty	Fraser	Graham
Harris 23	Haywood	Hilgemann	Hoskins	Hubbard
Johnson 61	Jones	Kratky	Lowe	Sager
Villa	Vogt	Walker	Walsh	Wilson 25
Wilson 42				

PRESENT: 003

Fares	Johnson 90	Wildberger
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ABSENT WITH LEAVE: 004

Avery	Boykins	Corcoran	Jolly
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Speaker Hanaway declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 58 - Special Committee on General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 911 - Special Committee on General Laws
HB 1758 - Special Committee on General Laws
HB 1767 - Special Committee on General Laws

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 25 - Special Committee on General Laws
SCS SCR 48 - Special Committee on General Laws
SCR 49 - Special Committee on General Laws
SCR 50 - Special Committee on General Laws

MESSAGES FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 904**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #3 on **SS HS HCS HB 978, as amended**, and has taken up and passed **CCS#3 SS HS HCS HB 978**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 994**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1149**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HS HCS HB 1150**, entitled:

An act to repeal sections 105.466, 105.473, 105.485, 105.487, 105.489, 105.492, 105.957, 105.961, 105.963, 105.971, 105.973, 130.011, 130.021, 130.036, 130.041, 130.046, 130.049, 130.050, and 130.057, RSMo, and to enact in lieu thereof nineteen new sections relating to ethics, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1150, Page 33, Section 105.963, Line 22, by inserting after all of said line the following:

“115.124.1. Notwithstanding any other law to the contrary, in a nonpartisan election in any political subdivision [or special district] except for municipal [and], board of trustees of community college districts, **and school board** elections, if the notice provided for in subsection 5 of section 115.127 has been published in at least one newspaper of general circulation in the district, and if the number of candidates who have filed for a particular office is equal to the number of positions in that office to be filled by the election, no election shall be held for such office, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they had been elected. Notwithstanding any other provision of law to the contrary, if at any election the number of candidates filing for a particular office exceeds the number of positions to be filled at such election, the election authority shall hold the election as scheduled, even if a sufficient number of candidates withdraw from such contest for that office so that the number of candidates remaining after the filing deadline is equal to the number of positions to be filled.

2. The election authority or political subdivision responsible for the oversight of the filing of candidates in any nonpartisan election in any political subdivision or special district shall clearly designate where candidates shall form a line to effectuate such filings and determine the order of such filings; except that, in the case of candidates who file a declaration of candidacy with the election authority or political subdivision prior to 5:00 p.m. on the first day for filing, the election authority or political subdivision may determine by random drawing the order in which such candidates' names shall appear on the ballot. If a drawing is conducted pursuant to this subsection, it shall be conducted so that each candidate may draw a number at random at the time of filing. If such drawing is conducted, the election authority or political subdivision shall record the number drawn with the candidate's declaration of candidacy. If such drawing is conducted, the names of candidates filing on the first day of filing for each office on each ballot shall be listed in ascending order of the numbers so drawn.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1150, Pages 77-78, Section 1, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1179**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 1182, as amended**, and has taken up and passed **CCS SS SCS HCS HB 1182**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1209**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 1288, as amended**, and has taken up and passed **CCS SS SCS HCS HB 1288**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1427**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1442**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HS HCS HB 1453, as amended**, and has taken up and passed **CCS SS SCS HS HCS HB 1453**.

Emergency clause adopted.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1548, as amended**, and has taken up and passed **CCS SCS HB 1548**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS HB 1617, as amended**, and has taken up and passed **CCS HCS HB 1617**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 1631 & 1623**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1** to **SB 966** and has taken up and passed **SB 966, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 972, as amended**, and has taken up and passed **HCS SCS SB 972, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1, House Amendment No. 2, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 7** to **SCS SB 987** and has taken up and passed **SCS SB 987, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SS SS SCS SB 1122, as amended**, and has taken up and passed **HS HCS SS SS SCS SB 1122, as amended**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SCS SB 1196** and has taken up and passed **HS SCS SB 1196**.

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1211, as amended**, and has taken up and passed **HCS SB 1211, as amended**.

GOD,

Thank You for the friendships that will be for a lifetime.

As we worry about physical, financial, mental and spiritual problems, I would pray for us to receive the peace, You have promised, that passes all human understanding.

ADJOURNMENT

CORRECTIONS TO THE HOUSE JOURNAL

HCS SCR 32, relating to character education process, was taken up by Representative Fares.

AFFIDAVITS

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

[illegible]

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Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jason Brown, District 30, hereby state and affirm that my votes as recorded on Pages 1842 and 1914 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these vote were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Jason Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jason Brown, District 30, hereby state and affirm that my vote as recorded on Page 1839 of the House Journal for Thursday, May 13, 2004 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Jason Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark J. Bruns, District 113, hereby state and affirm that my vote as recorded on Page 1867 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Mark J. Bruns
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 1837 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Jane Cunningham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my votes as recorded on Pages 1841 and 1842 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Curt Dougherty
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Chuck Graham, District 24, hereby state and affirm that my vote as recorded on Page 1916 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

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IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Chuck Graham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Rick Johnson, District 90, hereby state and affirm that my vote as recorded on Page 1863 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Rick Johnson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Cathy Jolly, District 45, hereby state and affirm that my votes as recorded on Pages 1863 and 1872 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Cathy Jolly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Fred Kratky, District 65, hereby state and affirm that my votes as recorded on Pages 1838 and 1872 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave were incorrectly recorded.

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IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

State of Missouri)
County of Cole) ss.

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

[illegible]

/s/ Stephen S. Davis
Chief Clerk

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

State of Missouri)
) ss.
County of Cole)

2025 *Journal of the House*

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Trent Skaggs, District 31, hereby state and affirm that my votes as recorded on Pages 1872 and 1898 of the House Journal for Thursday, May 14, 2004 showing that I voted absent with leave were incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time these votes were taken, I did in fact vote, and my votes or absence were incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Trent Skaggs
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jodi Stefanick, District 93, hereby state and affirm that my vote as recorded on Page 1907 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Jodi Stefanick
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Kevin Threlkeld, District 109, hereby state and affirm that my vote as recorded on Page 1881 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Kevin Threlkeld
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Phil Willoughby, District 33, hereby state and affirm that my vote as recorded on Pages 1866-1867 of the House Journal for Thursday, May 13, 2004 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2004.

/s/ Phil Willoughby
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of May in the year 2004.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETING

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Wednesday, May 26, 2004, 1:00 p.m. Hearing Room 7.
Oversight Division's program evaluations, other business.

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SEVENTY-FIRST DAY, THURSDAY, MAY 20, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Marilyn Seaton, Senior Docket Clerk.

Oh! Almighty and Everlasting God, Creator of Heaven, Earth and the Universe, help us to be, to think, to act what is right, because it is right; make us truthful, honest and honorable in all things.

Make us intellectually honest for the sake of right and honor, without thought of reward to us; give us the ability to be charitable, forgiving and patient with our fellow men - help us to understand their motives and shortcomings, even as You understand ours. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jack Elliott Goodman and Cameron Johnson.

SPECIAL RECOGNITION

The North Accelerated School from Warsaw, Missouri, was recognized by Speaker Hanaway.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SS SCS HCS HBs 795, 972, 1128 & 1161, SCS HCS HB 798, SCS HB 822, SCS HB 826 and HCS HB 883, SS SCS HCS HB 833, SS SCS HCS HB 855, HB 869, HB 923, SCS HCS HB 928 and HCS HB 1123 and HCS HB 1280, HCS HB 947, CCS#2 SCS HCS HB 959, SCS HB 960, HB 970, HB 975, HCS HB 985, HCS HB 988, SCS HB 996 and HB 1142 and HCS HB 1201 and HB 1489, SS HCS HBs 998 & 905, CCS SCS HS HCS HB 1002, CCS SCS HS HCS HB 1003, CCS SCS HS HCS HB 1004, CCS SCS HS HCS HB 1005, CCS SCS HS HCS HB 1006, CCS SCS HS HCS HB 1007, CCS SCS HS HCS HB 1008, CCS SCS HS HCS HB 1009, CCS SCS HS HCS HB 1010, CCS SCS HS HCS HB 1011, CCS SCS HS HCS HB 1012, SS SCS HS HB 1021, SCS HB 1029 and HB 1438 and HB 1610, HB 1047, CCS SS HCS HB 1055, HB 1070, SCS HBs 1071, 801, 1275 & 989, HCS HBs 1074 & 1129, HCS HB 1090, HCS HB 1099, HB 1107, HB 1114, HCS HB 1115, HB 1126, SCS HCS HB 1136, HB 1167, HCS HB 1171, HB 1187, SCS HB 1188, SCS HCS HB 1192, SCS HS HB 1193, HCS HB 1198, SCS HCS HB 1215, SCS HB 1217, HCS HB 1233, HCS HB 1246, SCS HCS HB 1253, HB 1259, HCS HB 1284, SCS HS HCS HB 1290, HB 1291, HB**

1317, SCS HCS HB 1321, HCS HB 1347, HB 1362, HCS HB 1363, HB 1364, HB 1377, HB 1398, HCS HB 1399, HCS HB 1405, HB 1407, HCS HB 1422, SCS HB 1440, HB 1444, HCS HB 1449, SCS HCS HB 1456 and HB 824, CCS HS HB 1487, HB 1494, HB 1502, HB 1508, HCS HB 1529 & 1655, SCS HS HB 1599, HB 1603, SCS HB 1613 and HB 1445 and HB 1454 and HB 1462 and HCS HB 1471 and HB 1608 and HB 1612 and HB 1635, HCS HB 1614, HB 1616, HB 1622, SCS HB 1634, SCS HCS HB 1660 and HB 1664 were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, CCS SS SCS HCS HBs 795, 972, 1128 & 1161, SCS HCS HB 798, SCS HB 822, SCS HB 826 and HCS HB 883, SS SCS HCS HB 833, SS SCS HCS HB 855, HB 869, HB 923, SCS HCS HB 928 and HCS HB 1123 and HCS HB 1280, HCS HB 947, CCS#2 SCS HCS HB 959, SCS HB 960, HB 970, HB 975, HCS HB 985, HCS HB 988, SCS HB 996 and HB 1142 and HCS HB 1201 and HB 1489, SS HCS HBs 998 & 905, CCS SCS HS HCS HB 1002, CCS SCS HS HCS HB 1003, CCS SCS HS HCS HB 1004, CCS SCS HS HCS HB 1005, CCS SCS HS HCS HB 1006, CCS SCS HS HCS HB 1007, CCS SCS HS HCS HB 1008, CCS SCS HS HCS HB 1009, CCS SCS HS HCS HB 1010, CCS SCS HS HCS HB 1011, CCS SCS HS HCS HB 1012, SS SCS HS HB 1021, SCS HB 1029 and HB 1438 and HB 1610, HB 1047, CCS SS HCS HB 1055, HB 1070, SCS HBs 1071, 801, 1275 & 989, HCS HBs 1074 & 1129, HCS HB 1090, HCS HB 1099, HB 1107, HB 1114, HCS HB 1115, HB 1126, SCS HCS HB 1136, HB 1167, HCS HB 1171, HB 1187, SCS HB 1188, SCS HCS HB 1192, SCS HS HB 1193, HCS HB 1198, SCS HCS HB 1215, SCS HB 1217, HCS HB 1233, HCS HB 1246, SCS HCS HB 1253, HB 1259, HCS HB 1284, SCS HS HCS HB 1290, HB 1291, HB 1317, SCS HCS HB 1321, HCS HB 1347, HB 1362, HCS HB 1363, HB 1364, HB 1377, HB 1398, HCS HB 1399, HCS HB 1405, HB 1407, HCS HB 1422, SCS HB 1440, HB 1444, HCS HB 1449, SCS HCS HB 1456 and HB 824, CCS HS HB 1487, HB 1494, HB 1502, HB 1508, HCS HB 1529 & 1655, SCS HS HB 1599, HB 1603, SCS HB 1613 and HB 1445 and HB 1454 and HB 1462 and HCS HB 1471 and HB 1608 and HB 1612 and HB 1635, HCS HB 1614, HB 1616, HB 1622, SCS HB 1634, SCS HCS HB 1660 and HB 1664 were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 12** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 12** was delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while CCS HS HCS SS SCS SB 730, HCS SS SB 732, HCS SS SCS SBs 740, 886 & 1178, SCS SB 757, SCS SB 767, HCS SB 769, HCS SCS SB 782, SCS SB 788, HCS SB 824, SB 842, SCS SB 859, HS HCS SB 870, SCS SB 878, SB 899, [Corrected] SCS SB 901, SB 920, SCS SB 921, HCS SCS SBs 942, 850 & 841, HCS SCS

SB 945 and SB 803 and SB 1257, SB 951, SCS SB 952, SCS SB 956, HCS SS SCS SB 960, SCS SB 992, HS HCS SS SB 1000, SCS SB 1006, HCS SB 1012, SB 1055, SCS SB 1078, HCS SB 1080, SB 1083, SB 1086, HCS SCS SB 1091, HCS SCS SB 1093, CCS HS HCS SS SCS SB 1099, SCS SB 1100, SB 1107, SB 1111, SB 1123, SB 1130, HS HCS SCS SB 1160, SCS SB 1172, SCS SB 1195, SCS SB 1235, HCS SB 1242, SB 1243, SB 1249, SCS SB 1250, SCS SB 1253, HCS SB 1259, HCS SS SCS SB 1279, SB 1285, HCS SB 1299, SB 1302, SCS SB 1304, SB 1320 and SCS SB 1331 were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SCR 36** and has taken up and adopted **HCS SS SCS SCR 36**.

The following members' presence was noted: Dixon, Smith (14) and Viebrock.

ADJOURNMENT

On motion of Speaker Hanaway, the House adjourned until 2:00 p.m., Friday, May 28, 2004.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Seventieth Day, Friday, May 14, 2004, Page 2017, Line 6, by deleting all of said line.

JOURNAL OF THE HOUSE

Second Regular Session, 92nd GENERAL ASSEMBLY

SEVENTY-SECOND DAY, FRIDAY, MAY 28, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Stephen S. Davis, Chief Clerk.

Our Father in Heaven,

As we conclude this legislative session, we humbly acknowledge and express our gratitude for Thy blessings upon our state, its elected leaders, and this House. May we always remember Thee in all things and in everything we do; and may we ever honor, reverence, and serve the God of this land, that we may prosper in freedom and righteousness. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cam Branson, Jessie Oligschlaeger, Lena Anson, Megan Cederburg and Heidi Isenberg.

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **SCS HCR 21** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **SCS HB 841, HB 904, SCS HB 938, CCS#3 SS HS HCS HB 978, SS#2 HCS HB 980, HB 994, HB 1149, SCS HCS HB 1177, HCS HB 1179, CCS SS SCS HCS HB 1182, SS SCS HS HCS HB 1195, SS HS HCS HB 1207, HCS HB 1209, SS#2 SCS HS HCS HBs 1268 & 1211, SS HS HCS HB 1285, CCS SS SCS HCS HB 1288, SCS HCS HB 1403, HB 1427, HS HCS HB 1433, HB 1442, CCS SS SCS HS HCS HB 1453, SS HS HCS HB 1511, CCS SCS HB 1548, CCS HCS HB 1617 and HCS HBs 1631 & 1623** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HCR 21, SCS HB 841, HB 904, SCS HB 938, CCS#3 SS HS HCS HB 978, SS#2 HCS HB 980, HB 994, HB 1149, SCS HCS HB 1177, HCS HB 1179, CCS SS SCS HCS HB 1182, SS SCS HS HCS HB 1195, SS HS HCS**

HB 1207, HCS HB 1209, SS#2 SCS HS HCS HBs 1268 & 1211, SS HS HCS HB 1285, CCS SS SCS HCS HB 1288, SCS HCS HB 1403, HB 1427, HS HCS HB 1433, HB 1442, CCS SS SCS HS HCS HB 1453, SS HS HCS HB 1511, CCS SCS HB 1548, CCS HCS HB 1617 and HCS HBs 1631 & 1623 were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE CONCURRENT RESOLUTIONS

All other business of the House was suspended while **HCS SS SCR 26** and **SCR 51** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE JOINT RESOLUTION

All other business of the House was suspended while **SJR 29** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **CCS HCS SCS SB 758, CCS HS HCS SCS#2 SB 762, SB 772, HCS SCS SB 799, SB 807, SCS SB 810, CCS HCS SB 884, SCS SB 962, SB 966, CCS HS HCS SS SCS SB 968 & SCS SB 969, HCS SCS SB 972, SCS SB 974, SCS SB 987, CCS HS HCS SCS SBs 1020, 889 & 869, SCS SB 1040, SCS SB 1062, CCS HS HCS SS SCS SB 1081, SCS SB 1096, CCS HCS SCS SB 1106, HCS SB 1114, HS HCS SS SCS SB 1122, HS SCS SB 1155, HCS SCS SB 1181, SCS SB 1188, HS SCS SB 1196, HCS SB 1211, HS SS SCS SBs 1233, 840 & 1043, HCS SCS SB 1247, HCS SB 1274, HCS SB 1329, HCS SCS SB 1365 and CCS HS HCS SB 1394** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

The following member's presence was noted: Smith (14).

ADJOURNMENT

Representative Viebrock moved that the House stand adjourned sine die.

The Speaker declared the House of Representatives of the Ninety-second General Assembly, convened in Second Regular Session on January 7, 2004, adjourned sine die, pursuant to the Constitution.

CATHERINE L. HANAWAY
Speaker of the House

STEPHEN S. DAVIS
Chief Clerk of the House

JOURNAL OF THE HOUSE

VETO SESSION

Second Regular Session, 92nd GENERAL ASSEMBLY

FIRST DAY, WEDNESDAY, SEPTEMBER 15, 2004

Speaker Hanaway in the Chair.

Prayer by Father David Buescher.

Life-giving God, this House re-assembles today with a heavy heart. Representative Annie Reinhart left us two weeks ago and her desk is vacant. We trust she is at home and rests in You, and we commend her to Your merciful friendship.

Our work here must go on, so we seek out Your mysterious mixture of compassion and justice to give us insight and motivation today. Consecrate this place and all those who serve here, and bless all the citizens of our state. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Alex Kackley.

Representatives Annie Reinhart and Ray Adams were memorialized by Members of the House of Representatives.

HOUSE RESOLUTION

Representative Crowell offered **House Resolution No. 1** which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2004 Constitutional Veto Session and ready for consideration of business.

Representative Crowell moved that Rule 59 be suspended to allow for the adoption of **House Resolution No. 1**.

Which motion was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Icet
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Levota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Willoughby	Wilson 119
Wilson 130	Wilson 25	Wilson 42	Witte	Wood
Wright	Yaeger	Yates	Young	Zweifel
Madam Speaker				

NOES: 006

Daus	Sager	Selby	Skaggs	Vogt
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Boykins	Muckler	Portwood
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VACANCIES: 002

On motion of Representative Crowell, **House Resolution No. 1** was adopted.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City 65101

February 25, 2004

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
92nd GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Concurrent Resolution No. 5** entitled:

An act by concurrent resolution and pursuant to Article IV, Section 8, to disapprove the final order of rulemaking for the proposed amendment to 1 CSR 10-4.010 relating to State of Missouri Vendor Payroll Deductions.

I disapprove of **House Concurrent Resolution No. 5**. My reasons for disapproval are as follows:

House Concurrent Resolution No. 5 purports to permanently disapprove and suspend an amendment to 1 CSR 10-4.010, filed as an order of rulemaking. The rule amendment filed by the Office of Administration merely clarifies the state's ability to make vendor payroll deductions, including collecting fair share fees from state employees who are members of collective bargaining units and have authorized the deduction of such fees. HCR 5 purports to find the rule amendment in violation of the provisions of sections 536.014 (governing agency rulemaking authority) or 536.205 (governing fiscal notes associated with proposed rules), RSMo.

The rule amendment does not violate any provision of Missouri statute. Because the Office of Administration has rulemaking authority in this area, section 536.014 is satisfied. The Joint Committee has never taken issue with the Office of Administration's authority to promulgate rules including 1 CSR 10-4.010; instead it has only now acted to disapprove this narrow amendment. This action is logically and legally inconsistent: either the Office of Administration has authority to make rules concerning vendor payroll deduction, or it does not. Given the uncontroversial previous promulgation of CSR 10-4.010, as well as the provisions of Section 536.010, 536.023, 33.103, and 370.395 RSMo 2000 (as amended) the Office of Administration plainly has such authority.

Section 536.205, which requires a statement of expenses to be imposed by any rule which would cost private entities more than five hundred dollars, is also satisfied, because the rule amendment does not impose any private cost. The rule amendment only clarifies the ability of the Office of Administration to make certain vendor payroll deductions under specific circumstances. No actual fee is imposed on any private party by the rule amendment.

HCR 5 is misguided, both as a matter of procedure and as a matter of substance. Procedurally, HCR 5 reflects an inappropriate use of the Joint Committee on Administrative Rules, an entity established by executive order for the narrow purpose of reviewing agency rulemaking authority. The General Assembly has produced no

legitimate question as to the legal authority of the Office of Administration to promulgate the rule amendment. Members of the General Assembly simply object to collective bargaining by state government employees and thus seek to block the mechanisms that make such bargaining possible. The General Assembly ought not to use the procedural mechanism of a resolution of disapproval to block a rule that its members only dislike on philosophical grounds.

I disagree with those who oppose collective bargaining rights for state employees. My administration has fought and will continue to fight tirelessly for the right of all working Missourians to have their voice heard by their employers. All of society benefits when working people have a seat at the bargaining table. That is as true in the public sector as it is in the private sector.

Most Missouri state employees do not share the privileges and benefits accorded to their elected officials. Rather, the majority of our public servants do difficult and vital work, often for low pay and little recognition. As Governor, I have a responsibility to ensure that our hard-working state employees are treated fairly and equitably by their employer. An essential component of fair and equitable treatment is the right of workers to bargain collectively and negotiate on a level playing field. I am proud of our record in this area, and I will not tolerate efforts by the General Assembly or any other party to interfere with employees' right of representation. The fair allocation of the costs of such representation is a basic aspect of collective bargaining. The use of fair share fees, voluntarily agreed to by new state employees, is both appropriate and necessary to protect the right of self-representation.

For all of the above stated reasons for disapproval, I am returning **House Concurrent Resolution No. 5** without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

July 6, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Concurrent Resolution No. 21**.

I disapprove of **Senate Committee Substitute for House Concurrent Resolution No. 21**. My reasons for disapproval are as follows:

This resolution would reauthorize the currently-existing Poultry Industry Committee for an additional year, and would additionally create a Forestry Utilization Committee. Although I support reauthorization of the Poultry Industry Committee in its existing form, I am compelled to veto this resolution because of problems in the creation of the Forestry Utilization Committee.

The Forestry Utilization Committee which would be established by this resolution is poorly structured and unlikely to achieve its goals. Before establishing any new state board or commission, care must be taken to ensure that it has sufficient representation of all interested parties and groups, and that it does not have too many members to do its work effectively. I am concerned that this resolution (and its companion resolution from the Senate) do not meet either of these criteria. For example, as established by this resolution, the committee would have 23 members, a number that could be cumbersome if the structure of the committee has not received careful thought. Further, this number of members conflicts with the number provided in the companion resolution, strengthening my sense that more careful consideration of the composition of this committee is needed.

This resolution provides for the direct appointment of committee members by private, non-governmental organizations. This approach is undesirable. Members of state boards and commissions are frequently chosen to represent private sector interests, but the actual power to appoint should be reserved to the state.

This resolution also provides that funding for the committee would come out of the Office of Administration's budget. With agency budgets so closely scrutinized for appropriate spending, I find this approach misguided. The Departments of Conservation, Agriculture, and Natural Resources are the more appropriate agencies to oversee the committee budget and staffing needs.

In short, while the purpose of this resolution seems noble and worthwhile, I believe that practical considerations merit a rethinking of the proper approach. I look forward to working with interested parties to establish an appropriately-constituted Forestry Utilization Committee, and will be pleased to sign an Executive Order establishing the Committee once these issues are resolved.

I am disappointed that the Poultry Industry Committee reauthorization was included in this resolution, and that I am thus forced to veto it as well. While I note that the Poultry Industry Committee is subject to some of the same concerns identified above, I am not as concerned about its size because the committee has previously demonstrated its ability to function effectively. The Poultry Industry Committee is also assigned to the Office of Administration - a less than desirable assignment for the same reasons set forth above - but I am advised by the Office of Administration that the Committee's work has never required the expenditure of the Office's resources or any substantial amount of staff time. For these reasons, I will also be pleased to sign an Executive Order re-establishing the Poultry Industry Committee as presently constituted.

For all of the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Concurrent Resolution No. 21** without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

June 16, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1005** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2004 and ending June 30, 2005.

Section 5.226

I hereby veto \$1E general revenue for the payment of principal and interest on bonds for institutions of higher education. The section was contingent upon passage and approval of SB 1221 and SB 1227. Those bills were not passed by the General Assembly.

Said section is vetoed in its entirety by \$1 to \$0 from General Revenue Fund. From \$1 to \$0 in total for the section.

Section 5.227

I hereby veto \$1E life science research trust funds to be transferred to the general revenue fund for reimbursement of principal and interest payments of life science projects. The section was contingent upon passage and approval of SB 1221 and SB 1227. Those bills were not passed by the General Assembly.

Said section is vetoed in its entirety by \$1 to \$0 from Life Science Research Trust Fund. From \$1 to \$0 in total for the section.

On June 16, 2004 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1005**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden
Governor

July 2, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 1099**, entitled:

“AN ACT”

To repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to material recovery operations.

I disapprove of **House Committee Substitute for House Bill No. 1099**. My reasons for disapproval are as follows:

House Committee Substitute for House Bill No. 1099 has the potential to severely impact state revenue by creating a poorly-described tax exemption that goes well beyond the stated intent of the legislation. Specifically, Section 144.030.3 is overbroad: it expands a sales tax exemption to companies "involved in the manufacture or material recovery" of any of the products subject to sales and use tax listed in the chapter. The list of manufacturing related exemptions identified in this chapter is lengthy, going well beyond the limited material recovery efforts that are the focus of the remainder of the bill. The bill does not define "involvement" for purposes of this section, nor does it specify any limitations on the "involvement"-based tax exemption or "manufacture..... under this chapter". This language could thereby be interpreted to provide tax exemption to numerous industries, including those only remotely connected with the industries intended to be exempted by the statutory chapter.

The intent of the remainder of this legislation - to encourage and assist companies involved in the material recovery process - is laudable. However, the broad and ambiguous language contained in the final paragraph of the bill is too great a threat to the financial stability of Missouri, and would surely result, at minimum, in numerous new cases of tax litigation in Missouri courts. Therefore, a veto of this legislation is necessary.

In accordance with the above stated reasons for disapproval, I am returning **House Committee Substitute for House Bill No. 1099** without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

July 6, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 1177**, entitled:

“AN ACT”

To repeal sections 640.700, 640.710, 640.715, 640.725, 640.730, 640.735, 640.745, 640.750, 640.755, 644.016, and 644.051, RSMo, and to enact in lieu thereof eleven new sections relating to concentrated animal feeding operations.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 1177**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Committee Substitute for House Bill No. 1177 would alter Missouri's regulation of Animal Feeding Operations (AFOs) and Concentrated Animal Feeding Operations (CAFOs). Missouri regulates these entities pursuant to a delegation of authority under federal law. The changes in **Senate Committee Substitute for House Committee Substitute for House Bill No. 1177** jeopardize the state's ability to maintain delegation from the United States Environmental Protection Agency (EPA) to implement programs under the Federal Clean Water Act. Without such delegation, Missouri would risk substantial and undesirable federal interference with state environmental policy.

Specifically, this legislation would alter the definitions of "discharge" and "water contaminant source" thus narrowing their meaning and placing Missouri law out of compliance with the federal Clean Water Act. With Missouri law out of compliance, Missouri would risk a federal takeover of our clean water program, and a substantial loss of federal funds.

Section 644.051.3 of the bill prohibits enforcement activities where an accidental spill occurs and the discharge of effluent is wholly contained within the landowner's property. This language would prevent the Missouri Department of Natural Resources from issuing violation notices or even investigating these spills, severely limiting the agency's ability to monitor pollution in and around a CAFO.

The Missouri Attorney General has stated (in a letter dated June 14, 2004) that this legislation "significantly curtails the authority of the Missouri Clean Water Commission to protect waters of the state." The Attorney General also expressed serious reservations about the issues set forth above, noting that under this bill "the state has no lawful recourse no matter how devastating the discharge has been on the natural resources, fish, and wildlife lying within the affected property."

Similarly, the EPA has expressed concern about this legislation (in a letter dated April 13, 2004). The EPA states that the federal Clean Water Act does not provide limitations or exclusions relating to the cause or amount of discharge, nor does the federal act prevent enforcement when a discharge is confined to one person's property. Such a change in definition could jeopardize EPA approval of the state's National Pollution Discharge Elimination System (NPDES) program, thereby endangering Missouri's ability to receive significant federal funding for program implementation. I cannot and will not endorse legislation that seeks to reduce protection of Missouri's water resources and is inconsistent with federal law and regulations. While Missouri's livestock production sector is critical to rural communities, legislation modifying state implementation plans must meet basic criteria outlined by the EPA and Clean Water Act. Regulatory changes in this area must not come at the expense of Missouri's environment or the health of its citizens.

For all of the above stated reasons, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 1177** without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

July 2, 2004

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 1614** entitled:

“AN ACT”

To amend chapter 376, RSMo, by adding thereto one new section relating to the repeal of the expiration date for certain mental health insurance statutes.

I disapprove of said **House Committee Substitute for House Bill No. 1614**. My reasons for disapproval are as follows:

The signing of **House Committee Substitute for House Bill No. 1614** is in conflict with Senate Committee Substitute for House Committee Substitute for House Bill No. 855, which I signed on June 28, 2004. **House Committee Substitute for House Bill No. 1614** extends the sunset date on a section of law that is repealed by Senate Committee Substitute for House Committee Substitute for House Bill No. 855.

House Committee Substitute for House Bill No. 1614 extends the Mental Health and Chemical Dependency Act, which would expire on January 1, 2005 pursuant to current law. One provision of this act is section 376.840 RSMo. Senate Committee Substitute for House Committee Substitute for House Bill No. 855, which allows Missourians with group health insurance to access mental health coverage in the same manner as other health conditions, also extends the Mental Health and Chemical Dependency Act. However, because it is no longer necessary, Senate Committee Substitute for House Committee Substitute for House Bill No. 855 repeals section 376.840 RSMo. Because **House Committee Substitute for House Bill No. 1614** extends a provision of law that is repealed by Senate Committee Substitute for House Committee Substitute for House Bill No. 855, the signing of **House Committee Substitute for House Bill No. 1614** creates an unresolved statutory conflict.

This veto has no substantive effect. Senate Committee Substitute for House Committee Substitute for House Bill No. 855 extends the sunset date in the same fashion that **House Committee Substitute for House Bill No. 1614** would have. This veto will only prevent the unresolved statutory conflict.

For all of the above stated reasons for disapproval, I am returning **House Committee Substitute for House Bill No. 1614** without my approval.

Respectfully submitted,

/s/ Bob Holden
Governor

HOUSE BILLS VETOED FROM THE THE SECOND REGULAR SESSION

Speaker Hanaway read the following House Bills vetoed from the Second Regular Session and no action was taken thereon: **HCR 5, SCS HCR 21, CCS SCS HS HCS HB 1005, HCS HB 1099, SCS HCS HB 1177 and HCS HB 1614.**

HOUSE RESOLUTION

Representative Crowell offered **House Resolution No. 2** which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **HCR 5, SCS HCR 21, CCS SCS HS HCS HB 1005, HCS HB 1099, SCS HCS HB 1177 and HCS HB 1614** when the bills were called by the Speaker.

Representative Crowell moved that Rule 59 be suspended to allow for the adoption of **House Resolution No. 2.**

Which motion was adopted by the following vote:

AYES: 151

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bishop	Bivins	Black
Bland	Bough	Bringer	Brooks	Brown
Bruns	Burnett	Byrd	Campbell	Carnahan
Cooper 120	Cooper 155	Corcoran	Crawford	Crowell
Cunningham 145	Cunningham 86	Curls	Darrough	Davis 122
Davis 19	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Engler	Ervin	Fares	Fraser	George
Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Holand	Hoskins	Hubbard	Hunter	Ice
Jackson	Jetton	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Kingery	Kratky	Kuessner	Lager	Lawson
Lembke	Levota	Liese	Lipke	Lowe
Luetkemeyer	Marsh	May	Mayer	McKenna
Meadows	Meiners	Miller	Moore	Morris
Munzlinger	Myers	Nieves	Page	Parker
Pearce	Phillips	Pratt	Purgason	Quinn
Ransdall	Rector	Richard	Roark	Ruestman
Rupp	Salva	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Seigfreid	Self	Shoemaker
Shoemyer	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Wagner	Walker	Wallace	Walsh	Walton
Ward	Wasson	Wildberger	Willoughby	Wilson 119

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Wilson 130
Wright
Madam Speaker

Wilson 25
Yaeger

Wilson 42
Yates

Witte
Young

Wood
Zweifel

NOES: 006

Daus
Whorton

Sager

Selby

Skaggs

Vogt

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery

Boykins

Muckler

Portwood

VACANCIES: 002

On motion of Representative Crowell, **House Resolution No. 2** was adopted.

MESSAGE FROM THE SENATE

Madam Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 5**.

SENATE RESOLUTION NO. 5

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Section 32, Article III of the Constitution, made no motion to override the Governor's vetoes of House Committee Substitute for Senate Substitute for Senate Concurrent Resolution No. 26; House Committee Substitute for Senate Committee Substitute for Senate Bill No. 799; Senate Bill No. 1111; and Senate Committee Substitute for Senate Bill No. 1304 when the bills were so called by the President.

LETTER OF RESIGNATION

August 2, 2004

The Honorable Catherine Hanaway
Speaker
House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101-6806

Dear Speaker Hanaway:

It has been an honor and privilege to serve these past three terms in the Missouri House of Representatives representing my constituents of the 147th District. However, I have accepted the position of high school principal for the Summersville R-II School district and will resign my seat effective August 15, 2004.

I have enjoyed serving in the Missouri General Assembly and look forward to continuing my public service to the students and community of the Summersville School District.

Sincerely,

Mark Hampton

ADJOURNMENT

On motion of Representative Crowell, the House adjourned until 9:00 a.m., Thursday, September 16, 2004.

JOURNAL OF THE HOUSE

VETO SESSION

Second Regular Session, 92nd GENERAL ASSEMBLY

SECOND DAY, THURSDAY, SEPTEMBER 16, 2004

The House met pursuant to adjournment.

Speaker Hanaway in the Chair.

Prayer by Representative Ronnie Miller.

Lord, let us take this special time to say Thank You for all the Alphas and Omegas.

Thank You for the new beginnings for many. I know You will be there for us as we look to You for advice.

Thank You for our families and extended families that are affected on a daily basis while we serve the people of the great State of Missouri.

Thank You for the honor of serving in these hallowed halls.

Now prepare us as our Omega in the Legislature nears. Help us to be prepared for life's final Omega.

Forgive us when we fail You.

In Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Elizabeth Dochterman, Craig Baker, Greg Whiston, Phillip Handley, Anthony Clark, Miles DeCoster and Andrew Eisenbeiss.

The Journal of the first day was approved as printed by the following vote:

AYES: 139

Abel	Angst	Baker	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brooks	Brown	Bruns	Burnett
Byrd	Campbell	Cooper 120	Cooper 155	Corcoran
Crawford	Crowell	Cunningham 145	Cunningham 86	Curls
Darrough	Davis 122	Davis 19	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Engler	Ervin	Fares	George

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Goodman	Graham	Green	Guest	Harris 110
Harris 23	Haywood	Henke	Hilgemann	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jackson
Jetton	Johnson 47	Johnson 61	Johnson 90	Jones
Kelly 144	Kelly 36	King	Kingery	Kratky
Kuessner	Lager	Lembke	Levota	Liese
Lipke	Lowe	Luetkemeyer	May	Mayer
McKenna	Meadows	Meiners	Miller	Moore
Morris	Munzlinger	Myers	Nieves	Page
Parker	Pearce	Phillips	Pratt	Purgason
Quinn	Ransdall	Rector	Richard	Roark
Ruestman	Rupp	Salva	Sander	Schaaf
Schlottach	Schneider	Schoemehl	Seigfreid	Selby
Self	Shoemaker	Shoemyer	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	Sutherland	Taylor
Thompson	Threlkeld	Townley	Viebrock	Villa
Vogt	Walker	Wallace	Walsh	Walton
Ward	Wasson	Whorton	Wildberger	Willoughby
Wilson 119	Wilson 130	Witte	Wood	Wright
Yaeger	Yates	Young	Madam Speaker	

NOES: 001

Sager

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Bishop	Bough	Boykins	Carnahan
Daus	Dougherty	Fraser	Holand	Jolly
Lawson	Marsh	Muckler	Portwood	Skaggs
St. Onge	Swinger	Wagner	Wilson 25	Wilson 42
Zweifel				

VACANCIES: 002

SPECIAL RECOGNITION

Shandi Finnessey, a resident of Florissant, Missouri, was introduced by Speaker Hanaway and presented a resolution recognizing her coronation as Miss USA 2004.

Miss Finnessey addressed the House.

ADJOURNMENT

On motion of Representative Crowell, the Veto Session of the Ninety-second General Assembly, Second Regular Session, adjourned sine die pursuant to the Constitution.

CATHERINE L. HANAWAY
Speaker of the House

STEPHEN S. DAVIS
Chief Clerk of the House